

LAW ENFORCEMENT USE OF UNMANNED AIRCRAFT

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill amends provisions related to the use of an unmanned aircraft system in conjunction with an imaging surveillance device.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to allowable law enforcement use of an unmanned aircraft system to apply to the use of an imaging surveillance device in conjunction with an unmanned aircraft system.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-14-203, as renumbered and amended by Laws of Utah 2017, Chapter 364

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-14-203** is amended to read:

72-14-203. Unmanned aircraft system use requirements -- Exceptions.

(1) A law enforcement agency or officer may not obtain, receive, or use data acquired through an unmanned aircraft system unless the data is obtained:

(a) pursuant to a search warrant;

30 (b) in accordance with judicially recognized exceptions to warrant requirements;

31 (c) subject to Subsection (2), from a person who is a nongovernment actor;

32 (d) to locate a lost or missing person in an area in which a person has no reasonable
33 expectation of privacy; or

34 (e) for purposes unrelated to a criminal investigation.

35 (2) A law enforcement officer or agency may only use for law enforcement purposes
36 data obtained from a nongovernment actor if:

37 (a) the data appears to pertain to the commission of a crime; or

38 (b) the law enforcement agency or officer believes, in good faith, that:

39 (i) the data pertains to an imminent or ongoing emergency involving danger of death or
40 serious bodily injury to an individual; and

41 (ii) disclosing the data would assist in remedying the emergency.

42 (3) A law enforcement agency or officer that obtains, receives, or uses data acquired
43 through the use of an unmanned aircraft system or through Subsection (2) shall destroy the data
44 as soon as reasonably possible after the law enforcement agency or officer obtains, receives, or
45 uses the data subject to an applicable retention schedule under Title 63G, Chapter 2,
46 Government Records Access and Management Act, or a federal, state, or local law.

47 (4) This section applies to any imaging surveillance device, as defined in Section
48 77-23d-102, when used in conjunction with an unmanned aircraft system.