

HOUSE BILL NO. HB0018

Drone Protection Act.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to drones; specifying requirements for use
2 of drones by law enforcement agencies; limiting use of
3 information obtained with a drone by governmental entities;
4 requiring reports; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 7-3-1001 through 7-3-1006 are created
9 to read:

10

11 ARTICLE 10

12 DRONES

13

14 **7-3-1001. Short title.**

15

1 This article shall be known and may be cited as the "Drone
2 Protection Act".

3

4 **7-3-1002. Definitions.**

5

6 (a) As used in this article:

7

8 (i) "Law enforcement agency" means a lawfully
9 established state or local governmental entity that is
10 responsible for:

11

12 (A) The prevention and detection of crime
13 and the enforcement of criminal or traffic laws; or

14

15 (B) Enforcing regulatory laws relating to
16 land, water or public health and safety.

17

18 (ii) "Drone" means any powered aerial vehicle
19 that does not carry a human operator, can fly autonomously
20 or remotely and can be expendable or recoverable;

21

22 (iii) "Governmental entity" means as defined by
23 W.S. 1-39-103(a).

1

2 **7-3-1003. Use of drones by law enforcement agencies.**

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4 (a) A law enforcement agency shall not use a drone or
5 acquire or disclose information obtained or derived through
6 the use of a drone unless the law enforcement agency:

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8 (i) Obtains a warrant authorizing the use of a
9 drone. Warrants authorizing the use of a drone shall
10 specify the period and geographical location for which use
11 of the drone is authorized. The authorization period shall
12 not exceed thirty (30) days, but may be extended for good
13 cause;

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15 (ii) Has probable cause to believe a person is
16 committing a felony or is about to commit a felony and
17 determines that:

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19 (A) Exigent circumstances make it
20 unreasonable for the agency to obtain a warrant authorizing
21 use of the drone; and

22

1 (B) Use of a drone is likely to assist in
2 the prevention of the felony.

3

4 (iii) Determines there is an imminent threat to
5 the life or safety of a person;

6

7 (iv) Uses a drone for search and rescue
8 operations;

9

10 (v) Uses a drone during a state of emergency to
11 preserve public safety, protect property or assess damage;

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13 (vi) Uses a drone for crime scene or accident
14 reconstruction or assessment;

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16 (vii) Uses a drone for training purposes; or

17

18 (viii) Uses a drone for data collection or
19 monitoring that shall not be used for enforcement actions.

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21 **7-3-1004. Use of information collected by drones.**

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1 No information acquired or derived through the use of a
2 drone by a governmental entity shall be admissible in any
3 judicial or administrative proceeding unless the
4 governmental entity collected the information in a manner
5 permitted by a law enforcement agency under W.S. 7-3-1003.

6

7 **7-3-1005. Reports on use of drones.**

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9 (a) Unless subject to the reporting requirements of
10 subsection (b) of this section, a governmental entity that
11 uses a drone shall immediately document the factual basis
12 for using the drone and shall report to the attorney
13 general no later than August 1 of each year:

14

15 (i) The number of times the agency used a drone
16 during the preceding year;

17

18 (ii) The factual basis showing the need for each
19 use;

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21 (iii) The cost of using the drone; and

22

1 (iv) The type of data collected, including
2 whether data was collected about individuals, residences,
3 businesses and property.

4

5 (b) The use of drones by a governmental entity for
6 bona fide research, and not in any manner for purposes of
7 law enforcement or enforcement of regulatory laws, shall be
8 subject to the following reporting provisions:

9

10 (i) The governmental entity shall report to the
11 attorney general no later than August 1 of each year. The
12 report shall include:

13

14 (A) A description of each research project
15 in which drones were used, including sources of public
16 funding for the project and the purpose of the research;

17

18 (B) A description of how the drones were
19 used, including whether data was collected about
20 individuals or residences, businesses or private property.
21 A project shall not be subject to the reporting
22 requirements of this subsection if the project collected
23 data only relating to residences, businesses or property

1 owned by the person funding the project in whole or in
2 part.

3

4 (ii) Reporting under this subsection shall not
5 disclose data or other information which is a trade secret,
6 privileged information or confidential data.

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8 (c) No later than October 1 of each year, the
9 attorney general shall report the information received
10 under subsections (a) and (b) of this section to the joint
11 judiciary interim committee.

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13 (d) This section is repealed effective July 1, 2021.

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15 **7-3-1006. Sunset.**

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17 This article is repealed effective July 1, 2021.

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19 **Section 2.** This act is effective June 30, 2015.

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21

(END)