

Comparison of AUVSI & NCSI Drone Law Tracking
States with Active or Pending Drone Laws

State	<u>AUVSI</u>	<u>NCSI</u>
Alaska	X	X
Arkansas		X
Arizona	Active	
California	Active	
Florida	X	X
Idaho	X	
Illinois	X	X
Indiana	X	X
Iowa		X
Louisiana	X	X
Maryland		X
Michigan	Active	X
Minnesota	X	
Mississippi		X
Nevada	X	X
New Hampshire	Active	X
New Jersey	Active	
New York	Active	
North Carolina	X	X
North Dakota	X	X
Ohio	Active	X
Oregon	X	X
South Carolina	Active	
Tennessee	X	X
Texas	X	X
Utah	X	X
Virginia	X	X
Washington	Active	
West Virginia		X
Wisconsin	X	X

DRONE LAWS BY STATE

<u>States with Laws in Place</u>		<u>Legislation</u>
Alaska	HB 255	Creates procedures and standards for law enforcement's use of unmanned aircraft, as well as regulations for retention of information collected with UAS.
Arkansas	HB 1349	Arkansas HB 1349 prohibits the use of UAS to commit voyeurism. HB 1770 prohibits the use of UAS to collect information about or photographically or electronically record information about critical infrastructure without consent.
Arizona	Active	HB 2659 – establishes the unmanned aerial vehicle study committee
California	AB 2306	Amends existing privacy laws to prohibit taking pictures of person “under circumstances in which they had reasonable expectation of privacy
	Active	End date 9/11 SB 142 This bill would define knowing entry upon the land of another also to include operation of an unmanned aerial vehicle below the navigable airspace overlaying the real property or operation of an unmanned aerial vehicle less than 350 feet above ground level within the airspace overlaying the real property, without the consent of the landowner or without legal authority.
Florida	SB 766	Florida SB 766 prohibits the use of a drone to capture an image of privately owned property or the owner, tenant, or occupant of such property without consent if a reasonable expectation of privacy exists.
Idaho	SB 1134	UNMANNED AIRCRAFT - Adds to existing law relating to aeronautics to define terms, to establish provisions relating to restrictions on the use of unmanned aircraft systems, to provide exceptions, to provide for a civil cause of action, to provide for certain damages and to provide that an owner of certain facilities shall not be prohibited from using an unmanned aircraft system to inspect such facilities.
Illinois	SB 2937	Amends the Freedom from Drone Surveillance Act. Provides that except as provided in the Act, a law enforcement agency may not acquire information from or direct the acquisition of information through the use of a drone owned by a private third party. Provides that in the event that law enforcement acquires information from or directs the acquisition of information through the use of a privately owned drone under the Act, any information so acquired is subject to the retention and disclosure requirements of the Act. Provides that nothing in the Act prohibits private third parties from voluntarily submitting information acquired by a privately owned drone to law enforcement.

		Provides that in the event that law enforcement acquires information from the voluntary submission of that information whether under a request or on a private drone owner's initiative, the information is subject to the retention and disclosure requirements of the Act.
Indiana	HB 1009	Surveillance and privacy. Requires a law enforcement officer to obtain a search warrant in order to use an unmanned aerial vehicle, with certain exceptions. Exempts electronic or video toll collection activities and facilities from certain restrictions relating to video and electronic surveillance and data collection. Provides that a law enforcement officer may not compel a person to provide a passkey, password, or keycode to any electronic communication service, electronic device, or electronic storage, or any form of stored electronic user data without a valid search warrant issued by a judge. Prohibits a law enforcement officer or law enforcement agency from using a real time tracking instrument that is capable of obtaining geolocation information concerning a cellular device or a device connected to a cellular network unless certain conditions are met. Provides that, except for a law enforcement officer or governmental entity who has obtained a search warrant, a person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data of any kind while unattended on the private property of another person without the consent of the owner or tenant of the private property commits a Class A misdemeanor. Establishes a procedure to use electronic mail to apply for a warrant. Provides immunity from civil and criminal liability for certain entities that provide information pursuant to certain court orders. Provides certain procedures for the issuance of search warrants concerning electronic communication service or remote computing service that affect the law concerning a journalist's privilege against disclosure of an information source. Urges the legislative council to assign to a study committee during the 2014 legislative interim the topic of digital privacy, including: (1) issues related to searches of electronic devices, compelling the disclosure of electronic user data, the collection and use of geolocation information, and the collection and use of biometric information by government agencies; and (2) any other issue concerning digital privacy and related subjects.
Iowa	HF 2289	Illegal for a state agency to use a UAS to enforce traffic laws
Louisiana	HB 1029	Created the crime of unlawful use of an unmanned aircraft system
Maryland	SB 370	Maryland SB 370 specifies that only the state can enact laws to prohibit, restrict, or regulate the testing or operation of unmanned aircraft systems. This preempts county and municipal authority. The bill also requires a study on specified benefits.
Michigan	SB 54	Michigan SB 54 prohibits using UAS to interfere with or harass an individual who is hunting. SB 55 prohibits using UAS to take game.
	Active	End date December 31 [Can't find any other bills]

Minnesota		A bill barring warrantless aerial drone use by Minnesota law enforcement except in certain emergency situations is headed to the Senate floor (3/2015)
Mississippi	SB 2022	Mississippi SB 2022 specifies that using a drone to commit "peeping tom" activities is a felony.
Nevada	AB 239	Nevada AB 239 includes UAS in the definition of aircraft and regulates the operators of UAS. It also prohibits the weaponization of UAS and prohibits the use of UAS within a certain distance of critical facilities and airports without permission. The bill specifies certain restrictions on the use of UAS by law enforcement and public agencies and requires the creation of a registry of all UAS operated by public agencies in the state.
New Hampshire	SB 222	New Hampshire SB 222 prohibits the use of UAS for hunting, fishing, or trapping.
	HB 240	End date July 1 – Prohibiting law enforcement agencies from using a drone to collect evidence
	HB 602-FN	End date July 1 – Relative to the use of drones
New Jersey	Active	<p>End date December 31</p> <p>legislation would require all police departments and law enforcement agencies in the state to obtain a warrant before launching a drone to aid an investigation. Any data captured by the unmanned aerial vehicle would have to be deleted after 14 days, unless it pertained to an investigation.</p> <p>The bill would also make it a fourth-degree crime to outfit a drone with weapons, and it would impose strict maintenance and record-keeping requirements on agencies flying the devices. Details on each flight would have to be reported to the state Attorney General's Office and made available to the public.</p>
New York	Active	End date December 31 – A01247 - Imposes limitations on the use of drones within the state
North Carolina	HB 1099	Prohibits damage or disruption of any manned aircraft operations via drones; possession or deployment of a drone armed with any weapons; regulates law enforcement's use of drones to conduct surveillance; pilots may not photograph or conduct surveillance on any person using drone or publish drone-recorded photos without consent

North Dakota	HB 1328	North Dakota HB 1328 provides limitations for the use of UAS for surveillance.
Ohio	HB 292	Created the aerospace and aviation technology committee
	Active	End date December 31 – HB 218 - Drones-use near airports/seller records HB 228 - Drones used to commit offenses-prohibit
Oregon	HB 2534	Oregon HB 2534 requires the development of rules prohibiting the use of UAS for angling, hunting, trapping, or interfering with a person who is lawfully angling, trapping, or hunting.
	HB 2710A	Provides that law enforcement agencies may use drones only as specified by law. <i>Provides that drone may be used by law enforcement agency for purpose of surveillance of person only pursuant to warrant or in emergency circumstances. Provides that law enforcement agency may use drone to intercept communications only as provided under laws relating to wiretaps and other interceptions of communications.] Requires destruction of images and other information acquired by use of drone within 30 days unless information is needed as evidence in criminal prosecution.] Requires that public bodies that use drones adopt policies on use of drones. Requires procedure for notifying public of policies on use of drones.] Prohibits use of weaponized drones by public bodies.]</i> Allows use of drones by law enforcement agencies pursuant to warrant and under other specified circumstances. Requires that public body operating drone must register drone with Oregon Department of Aviation. Requires reports on use of registered drone by public body. Provides that registration requirement becomes operative January 2, 2016. Prohibits use of weaponized drone by public body. Limits use of information acquired by drone as evidence if drone not approved by Federal Aviation Administration. Establishes crimes and civil remedies related to use of drones and interference with drones. Preempts local regulation of drones.
	Active	End date July 11 [Can't find any outstanding bills]
South Carolina	S 498	Sent to subcommittee – past end date Designed to prevent unmanned aerial vehicles from being flown over private property and being used by law enforcement without warrant
Tennessee	HB 153	Tennessee HB 153 prohibits using a drone to capture an image over certain open-air events and fireworks displays. It also prohibits the use of UAS over the grounds of a correctional facility.

	SB 0796	"Freedom from Unwarranted Surveillance Act"
	SB 1777	Class C misdemeanor to use drone-captured video footage of hunter or angler without their consent
	SB 1892	Outlaws using a drone to "intentionally conduct surveillance of an individual or their property" and prohibits the possession or distribution of images captured in such a manner.
Texas	HB 3628	Texas HB 3628 permits the creation of rules governing the use of UAS in the Capitol Complex and provides that a violation of those rules is a Class B misdemeanor.
	HB 912	Relates to images captured by unmanned aircraft and other images and recordings; provides penalties – Texas Privacy Act, Subtitle B. Title 4, Chapter 423 Use of Unmanned Aircraft
Utah	HB 296	Utah HB 296 allows a law enforcement agency to use an unmanned aircraft system to collect data at a testing site and to locate a lost or missing person in an area in which a person has no reasonable expectation of privacy. It also institutes testing requirements for a law enforcement agency's use of an unmanned aircraft system.
	SB 167	Regulates the use of UAS by state government entities.
Virginia	HB 2125 SB 1301	Virginia HB 2125 and SB 1301 require that a law enforcement agency obtain a warrant before using a drone for any purpose, except in limited circumstances.
		Chapter 755. An Act to place a moratorium on the use of unmanned aircraft systems.
Washington	Active	<p>SB 5499 - <u>NEW SECTION</u>. Sec. 1. The legislature finds that technological advances have provided new unique equipment that may be utilized in a variety of purposes. These technological advances often outpace statutory protections. Unmanned aerial vehicles, commonly known as drones, may be used for surveillance or delivery and may facilitate both beneficial enterprises and nefarious enterprises. It is the intent of the legislature to ensure that unmanned aerial vehicles should not be used to facilitate or commit nefarious criminal purposes.</p> <p><u>NEW SECTION</u>. Sec. 2. A new section is added to chapter 9.94A RCW to read as follows:</p>

		<p>(1) The prosecuting attorney may file a special allegation of nefarious drone enterprise in every criminal case involving the use of an unmanned aerial vehicle to facilitate or commit any crime, when sufficient admissible evidence exists, to show that one or more persons, whether the accused or an accomplice, used an unmanned aerial vehicle to facilitate or commit any crime.</p> <p>(2) In a criminal case in which there has been a special allegation, the state shall prove beyond a reasonable doubt that the accused committed the crime and also that the accused or an accomplice used an unmanned aerial vehicle to facilitate or commit the crime. The court shall make a finding of fact of whether or not the accused or an accomplice used an unmanned aerial vehicle to facilitate or commit the crime, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to whether or not the accused or an accomplice used an unmanned aerial vehicle to facilitate or commit the crime.</p>
West Virginia	HB 2515	West Virginia HB 2515 prohibits hunting with UAS.
Wisconsin	SB 196	<p>114.04 Flying and landing, limitations. Subject to s. 175.55, and except as provided in s. 942.10, flight of or in aircraft or spacecraft over the lands and waters of this state is lawful, unless at such a low altitude as to interfere with the then existing use to which the land or water, or the space over the land or water, is put by the owner, or unless so conducted as to be imminently dangerous or damaging to persons or property lawfully on the land or water beneath. The landing of an aircraft or spacecraft on the lands or waters of another, without the person's consent, is unlawful, except in the case of a forced landing. For damages caused by a forced landing, however, the owner or lessee of the aircraft or spacecraft or the aeronaut or astronaut shall be liable, as provided in s. 114.05.</p> <p>SECTION 2. 175.55 of the statutes is created to read:</p> <p>175.55 Use of drones restricted. (1) In this section:</p> <p>(a) "Drone" means a powered, aerial vehicle that carries or is equipped with a device that, in analog, digital, or other form, gathers, records, or transmits a sound or image, that does not carry a human operator, uses aerodynamic forces to provide vehicle lift, and can fly autonomously or be piloted remotely. A drone may be expendable or recoverable.</p> <p>(b) "Wisconsin law enforcement agency" has the meaning given in s. 165.77 (1) (c) and includes the department of justice and a tribal law enforcement agency.</p> <p>(2) No Wisconsin law enforcement agency may use a drone to gather evidence or other information in a criminal investigation from or at a place or location where an individual has a reasonable expectation of privacy without first obtaining a search warrant under s. 968.12. This subsection does not apply to the use of a drone in a public place or to assist in an active search and rescue operation, to locate an escaped prisoner, to surveil a place or location for the purpose of executing an arrest warrant, or if a law enforcement officer has reasonable suspicion to believe that the use of a drone is necessary to prevent imminent danger to an individual or to prevent imminent destruction of evidence.</p> <p>SECTION 3. 941.292 of the statutes is created to read:</p>

