

HB 46 -- Preserving Freedom from Unwarranted Surveillance Act

Sponsor: Guernsey

The bill establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits any person, entity, or state agency from using a drone or other unmanned aircraft to gather evidence or other information relating to criminal conduct or a violation of a statute or regulation except to the extent authorized in a warrant. No person, entity, or state agency is permitted to use a drone or unmanned aircraft to conduct surveillance of an individual, property owned by an individual, farm, or agricultural industry without the consent of the individual, property owner, farm, or agricultural industry.

The bill does not prohibit the use of a drone by a law enforcement agency if the agency possesses reasonable suspicion that, under particular circumstances, swift action to prevent imminent danger to life is necessary.

Any aggrieved party may obtain relief in a civil action to prevent or remedy a violation of the act. Information obtained or collected in violation of this act cannot be admissible as evidence in a criminal proceeding or in an administrative hearing.