

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [Bill Number]

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 7-3-1005 are created  
9 to read:

10

11

ARTICLE 10

12

DRONES

13

1           **7-3-1001. Short title.**

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3       This article shall be known and may be cited as the "Drone  
4       Protection Act".

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6           **7-3-1002. Definitions.**

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8           (a) As used in this article:

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

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

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

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

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

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4           **7-3-1003. Use of drones by law enforcement agencies.**

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

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

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

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

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2 (B) Use of a drone is likely to assist in  
3 the prevention of the felony. A drone shall not be used  
4 under this paragraph for longer than eight (8) hours.

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6 (iii) The agency determines there is an imminent  
7 threat to the life or safety of a person;

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9 (iv) The agency uses a drone for search and  
10 rescue operations;

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12 (v) The agency uses a drone during a state of  
13 emergency to preserve public safety, protect property or  
14 assess damage;

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16 (vi) The agency uses a drone for crime scene  
17 reconstruction or assessment of a specific crime scene and  
18 the use of the drone does not exceed three (3) days; or

19

20 (vii) The agency uses a drone for training  
21 purposes.

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23 **7-3-1004. Use of information collected by drones.**

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2       No image or other information acquired or derived  
3 through the use of a drone by a governmental entity shall  
4 be admissible in any judicial or administrative proceeding  
5 unless the image was collected in compliance with W.S. 7-3-  
6 1003.

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**STAFF COMMENT**

9       The intent of this section is to allow agencies that are  
10 not law enforcement agencies to use information collected  
11 by drones - but the information could not be used in a  
12 court or judicial proceeding unless it was collected under  
13 7-3-1003.

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16       **7-3-1005. Reports on use of drones.**

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18       (a) A governmental entity that uses a drone shall  
19 immediately document the factual basis for using the drone  
20 and shall report to the attorney general no later than  
21 August 1 of each year:

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

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1                   (ii)   The factual basis showing the need for each  
2    use;

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

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

(b) No later than October 1 of each year, the attorney general shall report the information received under subsection (a) of this section to the joint judiciary interim committee.

15           **Section 2.** This act is effective July 1, 2015.

17 (END)