

House Bill 3046

Sponsored by Representative HUFFMAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits law enforcement agency from requesting that another public body acquire information through operation of unmanned aircraft system, commonly known as drone. Provides exceptions. Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to unmanned aircraft systems; creating new provisions; amending ORS 837.310; and de-
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 837.310 is amended to read:

6 837.310. (1) Except as otherwise provided in ORS 837.310 to 837.345[,]:

7 (a) A law enforcement agency may not operate an unmanned aircraft system, acquire informa-
8 tion through the operation of an unmanned aircraft system or disclose information acquired through
9 the operation of an unmanned aircraft system.

10 (b) **A law enforcement agency may not request that another public body acquire infor-**
11 **mation through the operation of an unmanned aircraft system unless:**

12 (A) **The law enforcement agency and the other public body have entered into an inter-**
13 **governmental agreement for a specific joint investigation; or**

14 (B) **The request is narrowly tailored as to time and location.**

15 (2) Any image or other information that is acquired through the use of an unmanned aircraft
16 system [*by a law enforcement agency*] in violation of ORS 837.310 to 837.345, and any evidence de-
17 rived from that image or information:

18 (a) Is not admissible in, and may not be disclosed in, a judicial proceeding, administrative pro-
19 ceeding, arbitration proceeding or other adjudicatory proceeding; and

20 (b) May not be used to establish reasonable suspicion or probable cause to believe that an of-
21 fense has been committed.

22 **SECTION 2. Information acquired in violation of ORS 837.310, as amended by section 1**
23 **of this 2017 Act, is inadmissible and may not be disclosed in proceedings and may not be used**
24 **to establish reasonable suspicion or probable cause, as provided in ORS 837.310 (2), whether**
25 **acquired before, on or after the effective date of this 2017 Act.**

26 **SECTION 3. This 2017 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
28 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.