

# A-Engrossed Senate Bill 238

Ordered by the Senate April 14  
Including Senate Amendments dated April 14

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## 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. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: The Act changes the laws about the use of drones by law enforcement. (Flesch Readability Score: 76.5).**

*[Digest: The Act tells the DPSST to do a study. (Flesch Readability Score: 94.3).]*

*[Requires the Department of Public Safety Standards and Training to study issues relating to law enforcement officers. Directs the department to submit findings to the interim committees of the Legislative Assembly related to the judiciary not later than September 15, 2026.]*

**Modifies provisions relating to the use of unmanned aircraft systems by law enforcement officers and agencies.**

## A BILL FOR AN ACT

Relating to law enforcement officers; amending ORS 837.320 and 837.370; and repealing ORS 837.330, 837.335 and 837.340.

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

**SECTION 1.** ORS 837.320 is amended to read:

837.320. *[(1) A law enforcement agency may operate an unmanned aircraft system, acquire information through the operation of an unmanned aircraft system, or disclose information acquired through the operation of an unmanned aircraft system, if:]*

*[(a) A warrant is issued authorizing use of an unmanned aircraft system; or]*

*[(b) The law enforcement agency has probable cause to believe that a person has committed a crime, is committing a crime or is about to commit a crime, and exigent circumstances exist that make it unreasonable for the law enforcement agency to obtain a warrant authorizing use of an unmanned aircraft system.]*

*[(2) A warrant authorizing the use of an unmanned aircraft system must specify the period for which operation of the unmanned aircraft system is authorized. In no event may a warrant provide for the operation of an unmanned aircraft system for a period of more than 30 days. Upon motion and good cause shown, a court may renew a warrant after the expiration of the 30-day period.]*

**(1) A law enforcement agency or a law enforcement officer may operate an unmanned aircraft system, acquire information through the operation of an unmanned aircraft system or disclose information acquired through the operation of an unmanned aircraft system, in connection with lawful police activity, when the law enforcement agency is:**

**(a) Responding to any call for law enforcement services.**

**(b) Responding to a public safety emergency in which personal injury or damage to**

**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.

property could occur.

(c) Conducting search and rescue operations.

(d) Conducting training as provided in ORS 837.345.

(e) Obtaining information about a property when the property owner has consented.

(f) Executing a warrant.

(g) Responding to exigent circumstances that make it unreasonable for the law enforcement agency to obtain a warrant authorizing use of an unmanned aircraft system, if probable cause exists to believe that a person has committed a crime, is committing a crime or is about to commit a crime.

(h) Operating an unmanned aircraft system as authorized by a warrant issued by a court.

(2) A law enforcement agency or a law enforcement officer may operate an unmanned aircraft system not in connection with police activity only if all cameras on the unmanned aircraft system are:

(a) Stowed; or

(b) Positioned to provide situational awareness for flight and used only for airspace deconfliction.

(3) Except as otherwise authorized by this section, a law enforcement agency or a law enforcement officer may not operate an unmanned aircraft system to conduct surveillance over the boundaries of commercial property unless the property owner has consented and the property owner has posted conspicuous notice that a law enforcement agency may be operating an unmanned aircraft system over the property.

(4) Except as otherwise authorized by this section, a law enforcement agency or a law enforcement officer may not operate an unmanned aircraft system for purposes of traffic enforcement, except when the law enforcement agency is actively pursuing a fleeing suspect.

(5) Notwithstanding the provisions of this section, a law enforcement agency may not use an unmanned aircraft system to collect or maintain information in a manner prohibited by ORS 181A.250.

**SECTION 2.** ORS 837.370 is amended to read:

837.370. (1) *[Except as provided in subsection (2) of this section,]* A person may not operate an unmanned aircraft system over the boundaries of privately owned premises in a manner so as to intentionally, knowingly or recklessly harass or annoy the owner or occupant of the privately owned premises.

*[(2) Subsection (1) of this section does not apply to the use of an unmanned aircraft system by a law enforcement agency under ORS 837.335.]*

*[(3)(a)]* (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, violation of subsection (1) of this section is a Class B violation.

(b) If, at the time of the offense, the person has one prior conviction under this section, violation of subsection (1) of this section is a Class A violation.

(c) If, at the time of the offense, the person has two or more prior convictions under this section, violation of subsection (1) of this section is a Class B misdemeanor.

(d) If the court imposes a sentence of probation for a violation under paragraph (c) of this subsection, the court may order as a condition of probation that the person may not possess an unmanned aircraft system.

**SECTION 3.** ORS 837.330, 837.335 and 837.340 are repealed.