

Senate File 2157 - Introduced

SENATE FILE 2157

BY SCHNEIDER

A BILL FOR

1 An Act regulating the use of drones and unmanned aircraft, and
2 providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 801C.1 Definitions.

2 As used in this chapter unless the context otherwise
3 requires:

4 1. "*Drone*" means any powered aerial vehicle that does not
5 carry a human operator, uses aerodynamic forces to provide
6 vehicle lift, can fly autonomously or be piloted remotely,
7 can be expendable or recoverable, and can carry a lethal or
8 nonlethal payload.

9 2. "*Unmanned aircraft*" means an aircraft that is operated
10 without the possibility of direct human intervention from
11 within or on the aircraft.

12 Sec. 2. NEW SECTION. 801C.2 Restrictions on gathering
13 evidence.

14 1. A person, as defined in section 4.1, shall not use a
15 drone or other unmanned aircraft to gather evidence or other
16 information pertaining to criminal conduct, or conduct in
17 violation of a statute, ordinance, regulation, or rule, except
18 to the extent authorized by a warrant.

19 2. A person, entity, or state agency shall not use a
20 drone or other unmanned aircraft to conduct surveillance of
21 any person, property owned by any other person, or a farm or
22 agricultural operation without the consent of the other person,
23 property owner, or farm or agricultural operation owner.

24 Sec. 3. NEW SECTION. 801C.3 Exigent circumstances.

25 Notwithstanding section 801C.2, a law enforcement agency
26 may use a drone or other unmanned aircraft when exigent
27 circumstances exist. For the purposes of this section, exigent
28 circumstances exist if a law enforcement agency possesses
29 reasonable suspicion that, under particular circumstances,
30 swift action to prevent imminent danger to life is necessary.

31 Sec. 4. NEW SECTION. 801C.4 Remedies.

32 1. In a civil action an aggrieved party may obtain all
33 appropriate relief to prevent or remedy a violation of this
34 chapter.

35 2. Any information obtained or collected in violation of

1 this chapter shall not be admissible as evidence in a criminal,
2 civil, or administrative proceeding.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill regulates the use of drones and unmanned aircraft.
7 The bill defines "drone" to mean any powered unmanned
8 aircraft that does not carry a human operator, uses aerodynamic
9 forces to provide vehicle lift, can fly autonomously or
10 be piloted remotely, can be expendable or recoverable, and
11 can carry a lethal or nonlethal payload. The bill defines
12 "unmanned aircraft" to mean an aircraft that is operated
13 without the possibility of direct human intervention from
14 within or on the aircraft.

15 The bill specifies that a person, as defined in Code section
16 4.1, shall not use a drone or other unmanned aircraft to gather
17 evidence or other information pertaining to criminal conduct,
18 or other conduct that violates the law, except to the extent
19 authorized by a warrant.

20 The bill further specifies that a person, entity, or state
21 agency shall not use a drone or other unmanned aircraft to
22 conduct surveillance of another, property owned by another, or
23 a farm or agricultural operation without the consent of the
24 other person, property owner, or farm or agricultural operation
25 owner.

26 A law enforcement agency may use a drone or other unmanned
27 aircraft when exigent circumstances exist. Under the bill,
28 exigent circumstances exist if a law enforcement agency
29 possesses reasonable suspicion that, under particular
30 circumstances, swift action to prevent imminent danger to life
31 is necessary.

32 The bill provides that any aggrieved party may obtain all
33 appropriate relief to prevent or remedy a violation of the bill
34 through a civil action.

35 The bill also specifies that any information obtained or

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1 collected in violation of the bill shall not be admissible as
2 evidence in a criminal, civil, or administrative proceeding.