AN ACT LIMITING THE USE OF UNMANNED AERIAL VEHICLES BY LAW ENFORCEMENT; AND PROHIBITING THE USE OF UNLAWFULLY OBTAINED INFORMATION AS EVIDENCE IN COURT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Limitations on unmanned aerial vehicles. (1) In any prosecution or proceeding within the state of Montana, information from an unmanned aerial vehicle is not admissible as evidence unless the information was obtained:

(a) pursuant to the authority of a search warrant; or

(b) in accordance with judicially recognized exceptions to the warrant requirement.

(2) Information obtained from the operation of an unmanned aerial vehicle may not be used in an affidavit of probable cause in an effort to obtain a search warrant unless the information was obtained under the circumstances described in subsection (1)(a) or (1)(b) or was obtained through the monitoring of public lands or international borders.

(3) For the purposes of this section, "unmanned aerial vehicle" means an aircraft that is operated without direct human intervention from on or within the aircraft. The term does not include satellites.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 46, chapter 5, part 1, and the provisions of Title 46, chapter 5, part 1, apply to [section 1].

- END -

I hereby certify that the within bill,

SB 0196, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day

of _____, 2013.

Speaker of the House

Signed this _____ day

of _____, 2013.

SENATE BILL NO. 196

INTRODUCED BY ROSENDALE, AUGARE, DICK BARRETT, BLEWETT, BOULANGER, BRENDEN, D. BROWN, FACEY, L. JONES, F. MOORE, OSMUNDSON, REICHNER, SALES, TAYLOR, THOMAS, VAN DYK, WALKER, WANZENRIED, WARBURTON, WINDY BOY, WITTICH

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