

HB 1204 -- PRESERVING FREEDOM FROM UNWARRANTED SURVEILLANCE ACT

SPONSOR: Wilson

This bill establishes the Preserving Freedom from Unwarranted Surveillance Act which prohibits any person, entity, or state agency from using a drone or other unmanned aircraft to gather evidence or other information relating to criminal conduct or conduct in violation of a statute or regulation except to the extent authorized in a warrant. A person, entity, or state agency is prohibited from using a drone or unmanned aircraft to conduct surveillance or observation of an individual or property owned by an individual or business without the consent of the individual or property owner. A person, group of persons, entity, or organization including, but not limited to a journalist, reporter, or news organization, is prohibited from using a drone or other unmanned aircraft to conduct surveillance of an individual or property owned by an individual or business without the consent of the individual or property owner.

The bill does not prohibit the use of a manned aircraft, drone, or unmanned aircraft by a state law enforcement agency; a Missouri-based higher education institution conducting specified educational, research, or training programs; a manufacturer or seller engaged in the research, development, or testing of a manned aircraft, drone, or unmanned aircraft and operating a manned aircraft, drone, or unmanned aircraft under specified situations; or any rural electric cooperative or public utility company regulated by the Missouri Public Services Commission under specific circumstances. The bill does not prohibit the use of a model aircraft.

Any aggrieved party may obtain relief in a civil action to prevent or remedy a violation of the act. Information obtained or collected in violation of the act cannot be admissible as evidence in a criminal proceeding or in an administrative hearing. Sovereign immunity for the state is waived for any civil action resulting from a violation of the provisions of the act.

The bill contains an emergency clause.