



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

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].

Latest Version of SB 196 (SB0196.ENR)

Processed for the Web on April 18, 2013 (11:01am)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

See the [status of this bill](#) for the bill's primary sponsor.

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Prepared by Montana Legislative Services

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