AN ACT

AMENDING TITLE 13, CHAPTER 30, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3007; RELATING TO DRONE SURVEILLANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 13, chapter 30, Arizona Revised Statutes, is amended by adding section 13-3007, to read:

13-3007. Unlawful use of drones; admissibility of evidence; civil action; classification; definitions

A. It is unlawful for a law enforcement agency or a state, county or municipal agency to use a drone to gather, store or collect evidence of any type, including audio or video recordings, or both, or other information that is not specifically outlined in a search warrant. A law enforcement agency may not use drones for surveillance of citizens unless the citizen is specifically named on a valid search warrant.

B. It is unlawful for a person to use drones to monitor other persons inside their homes or places of worship or within the closed confines of their property or other locations where a person would have an expectation of privacy.

C. Evidence that is obtained or collected in violation of this section is not admissible in any civil or criminal proceeding and may not be used against a citizen, corporation or organization in any formal proceeding within this state for the purpose of enforcing state or local law.

D. This section does not prohibit either:

1. The use of a drone by a law enforcement agency if the law enforcement agency first obtains a search warrant that authorizes the use of a drone and the use of the drone is used only to obtain evidence on the person named in the warrant.

2. The use of a drone by a law enforcement agency that is actively engaged in the enforcement of chapter 34 of this title or section 13-2319 on public lands as defined in section 37-901 or on private land with the written permission from the landowner.

3. A citizen from owning or operating a drone for lawful purposes.

E. An aggrieved party may initiate a civil action against a law enforcement agency to obtain all appropriate relief in order to prevent, restrain or remedy a violation of this section.

F. A person who violates this section is guilty of a class 6 felony.

G. For the purposes of this section:

1. "Drone" means a powered or an unpowered aerial vehicle or a balloon float or other device that:

   (a) Does not carry a human operator.

   (b) Uses aerodynamic forces or gases to provide lift.

   (c) Can fly autonomously or be piloted remotely.

   (d) Can be expendable or recoverable.

   (e) Can carry a lethal or nonlethal payload.

2. "Law enforcement agency" means a lawfully established state or local public agency that is responsible for the prevention and detection of crime, the enforcement of local government codes and the enforcement of...
PENAL, TRAFFIC, REGULATORY, GAME OR CONTROLLED SUBSTANCE LAWS AND INCLUDES AN AGENT OF THE LAW ENFORCEMENT AGENCY.

Sec. 2. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 3. Short title

Section 13-3007, Arizona Revised Statutes, as added by this act, may be cited as the "Citizens Protection From Unwarranted Surveillance Act".