

SENATE BILL NO. 150

INTRODUCED BY R. DRISCOLL

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A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE USE OF UNMANNED AERIAL VEHICLES; AND PROHIBITING ANY GOVERNMENTAL ENTITY WITHIN THE STATE OF MONTANA OWNING OR UTILIZING UNMANNED AERIAL VEHICLES WITH ANTIPERSONNEL DEVICES."

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

**NEW SECTION. Section 1. Limitations on unmanned aerial vehicles.** (1) In a criminal proceeding within the state of Montana, information from an unmanned aerial vehicle may not be introduced into evidence in a criminal trial for any purpose, regardless of what entity, public or private, obtained the information or for what purpose.

(2) A governmental entity within the state of Montana may not own, utilize, contract for, or otherwise obtain any services from an unmanned aerial vehicle containing an antipersonnel device.

(3) In case of a violation of subsection (2), a victim of the prohibited use of an unmanned aerial vehicle has a cause of action against the governmental entity that authorized the use of the unmanned aerial vehicle and all persons who used or authorized the use of the unmanned aerial vehicle, in both their individual and official capacities. In addition to any compensatory damages awarded, a victim may be awarded punitive damages up to the statutory maximum for each infraction, as well as the costs of bringing the action and reasonable attorney fees.

(4) For purposes of this section:

(a) "antipersonnel device" means any projectile, chemical, electrical, directed-energy (visible or invisible), or other device designed to harm, incapacitate, or otherwise negatively impact a human being; and

(b) "unmanned aerial vehicle" means any device that has the capability of powered or unpowered flight or hovering without a human on board, regardless of altitude, with or without a tether connecting it to the ground or another object.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 67, and the provisions of Title 67 apply to [section 1].

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