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SENATE BILL 5782

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State of Washington

63rd Legislature

2013 Regular Session

**By** Senators Chase, Rivers, Kline, Benton, Nelson, Baumgartner, Darneille, Cleveland, Shin, Kohl-Welles, Keiser, Hasegawa, McAuliffe, Schlicher, Harper, and Rolfes

Read first time 02/14/13. Referred to Committee on Law & Justice.

1 AN ACT Relating to protecting Washington citizens from warrantless  
2 surveillance, reducing liability, and establishing clear standards  
3 under which agencies may utilize unmanned aerial vehicles; adding a new  
4 chapter to Title 10 RCW; prescribing penalties; and declaring an  
5 emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that technological  
8 advances have provided new, unique equipment that may be utilized for  
9 surveillance purposes. These technological advances often outpace  
10 statutory protections and can lead to inconsistent or contradictory  
11 interpretations between jurisdictions. The legislature finds that  
12 regardless of application or size, the use of unmanned aerial vehicles,  
13 without public debate or clear legal authority, creates uncertainty for  
14 citizens and agencies throughout Washington state. As stated in the  
15 congressional research service report entitled 'Integration of Drones  
16 into Domestic Airspace,' "the extent of their potential domestic  
17 application is bound only by human ingenuity. . .the full-scale  
18 introduction of drones into U.S. skies will inevitably generate a host  
19 of legal issues. . .With the ability to house high-powered cameras,

1 infrared sensors, facial recognition technology, and license plate  
2 readers, some argue that drones present a substantial privacy risk."  
3 The legislature finds that drones do present a substantial privacy risk  
4 potentially contrary to the strong privacy protections enshrined in  
5 Article I, section 7 of the Washington state Constitution that reads  
6 "No person shall be disturbed in his private affairs, or his home  
7 invaded, without authority of law."

8 The legislature further finds that the lack of clear statutory  
9 authority for the use of unmanned aerial vehicles may increase  
10 liability to state and local jurisdictions. It is the intent of the  
11 legislature to provide clear standards for the lawful use of unmanned  
12 aerial vehicles by state and local jurisdictions.

13 NEW SECTION. **Sec. 2.** The definitions in this section apply  
14 throughout this chapter unless the context clearly requires otherwise.

15 (1) "Agency" means any agency, authority, board, department,  
16 division, commission, institution, bureau, or like governmental entity  
17 of the state or of any unit of local government including counties,  
18 cities, towns, regional governments, and the departments thereof, and  
19 includes constitutional officers, except as otherwise expressly  
20 provided by law. "Agency" also means each component part of the  
21 legislative, executive, or judicial branches of state and local  
22 government, including each office, department, authority, post,  
23 commission, committee, and each institution or board created by law to  
24 exercise some regulatory or sovereign power or duty as distinguished  
25 from purely advisory powers or duties. "Agency" also includes any  
26 entity, whether public or private, with which any of the foregoing has  
27 entered into a contractual relationship for the operation of a system  
28 of personal information to accomplish an agency function.

29 (2) "Biometric identification system" is a system that collects  
30 unique physical and behavioral characteristics including, but not  
31 limited to, biographical data, facial photographs, fingerprints, and  
32 iris scans to identify individuals.

33 (3) "Court of competent jurisdiction" includes any district court  
34 of the United States or any United States court of appeals that has  
35 jurisdiction over the offense being investigated; is in a district in  
36 which the public unmanned aircraft will conduct a search or a court of

1 general jurisdiction authorized by the state of Washington to issue  
2 search warrants.

3 (4) "Judicial officer" means a judge, magistrate, or other person  
4 authorized to issue a criminal search warrant.

5 (5) "Law enforcement officer" means any general authority, limited  
6 authority, or specially commissioned Washington peace officer or  
7 federal peace officer as those terms are defined in RCW 10.93.020.

8 (6) "Person" includes any individual, corporation, partnership,  
9 association, cooperative, limited liability company, trust, joint  
10 venture, government, political subdivision, or any other legal or  
11 commercial entity and any successor, representative, agent, agency, or  
12 instrumentality thereof.

13 (7) "Personal information" means all information that (a)  
14 describes, locates, or indexes anything about a person including, but  
15 not limited to, his or her social security number, driver's license  
16 number, agency-issued identification number, student identification  
17 number, real or personal property holdings derived from tax returns,  
18 and his or her education, financial transactions, medical history,  
19 ancestry, religion, political ideology, or criminal or employment  
20 record; (b) affords a basis for inferring personal characteristics,  
21 such as finger and voice prints, photographs, or things done by or to  
22 such person; and the record of his or her presence, registration, or  
23 membership in an organization or activity, or admission to an  
24 institution; or (c) describes, locates, or indexes anything about a  
25 person including, but not limited to, intellectual property, trade  
26 secrets, proprietary information, or operational information.

27 (8) "Public unmanned aircraft system" means an unmanned aircraft  
28 and associated elements, including communications links, sensing  
29 devices, and the components that control the unmanned aircraft,  
30 operated by an agency or at the direction of or under the control of an  
31 agency.

32 (9) "Sensing device" means a device capable of acquiring data or  
33 information from its surroundings including, but not limited to,  
34 cameras using visible, ultraviolet, or infrared frequencies,  
35 microphones, thermal detectors, chemical detectors, radiation gauges,  
36 and wireless receivers in any frequency.

37 (10) "Trade secrets" means all forms and types of financial,  
38 business, scientific, technical, economic, or engineering information,

1 including patterns, plans, compilations, program devices, formulas,  
2 designs, prototypes, methods, techniques, processes, procedures,  
3 programs, or codes whether tangible or intangible, and whether or how  
4 stored, compiled, or memorialized physically, electronically,  
5 graphically, photographically, or in writing, which the owner has taken  
6 reasonable measures to protect and has an independent economic value.

7 (11) "Unmanned aircraft" means an aircraft that is operated without  
8 the possibility of human intervention from within or on the aircraft.

9 (12) "Unmanned aircraft system" means an unmanned aircraft and  
10 associated elements, including communication links and components that  
11 control the unmanned aircraft that are required for the pilot in  
12 command to operate safely and efficiently in the national airspace  
13 system.

14 NEW SECTION. **Sec. 3.** Except as otherwise specifically authorized  
15 in this chapter, it shall be unlawful to operate a public unmanned  
16 aircraft system or disclose personal information about any person  
17 acquired through the operation of a public unmanned aircraft system.

18 NEW SECTION. **Sec. 4.** (1) No state agency or organization having  
19 jurisdiction over criminal law enforcement or regulatory violations  
20 including, but not limited to, the Washington state patrol, shall  
21 procure a public unmanned aircraft system without the explicit approval  
22 of the legislature, given for that specific public unmanned aircraft  
23 system to be used for a specific purpose.

24 (2) No department of law enforcement of any city, county, or town  
25 or any local agency having jurisdiction over criminal law enforcement  
26 or regulatory violations shall procure a public unmanned aircraft  
27 system without the explicit approval of the governing body of such  
28 locality, given for that specific public unmanned aircraft system to be  
29 used for a specific purpose.

30 NEW SECTION. **Sec. 5.** All operations of a public unmanned aircraft  
31 system or disclosure of personal information about any person acquired  
32 through the operation of a public unmanned aircraft system shall be  
33 conducted in such a way as to minimize the collection and disclosure of  
34 personal information not authorized under this chapter.

1        NEW SECTION.    **Sec. 6.**    A public unmanned aircraft system may be  
2 operated and personal information from such operation disclosed in  
3 order to collect personal information only pursuant to a criminal  
4 warrant issued by a court of competent jurisdiction or as otherwise  
5 provided in this section.

6        (1) Each petition for a search warrant from a judicial officer to  
7 permit the use of a public unmanned aircraft system and personal  
8 information collected from such operation shall be made in writing,  
9 upon oath or affirmation, to a judicial officer in a court of competent  
10 jurisdiction for the geographic area in which a public unmanned  
11 aircraft system is to be operated or where there is probable cause to  
12 believe the offense for which the public unmanned aircraft system is  
13 sought has been committed, is being committed, or will be committed.

14        (2) The law enforcement officer shall submit an affidavit that  
15 shall include:

16        (a) The identity of the applicant and the identity of the agency  
17 conducting the investigation;

18        (b) The identity of the individual and jurisdictional area for  
19 which use of the public unmanned aircraft is being sought;

20        (c) Specific and articulable facts demonstrating probable cause to  
21 believe that there is criminal activity and that the operation of the  
22 public unmanned aircraft system will uncover evidence of such activity  
23 or facts to support the finding that there is probable cause for  
24 issuance of a search warrant pursuant to applicable requirements;

25        (d) The name of the county or city where there is probable cause to  
26 believe the offense for which use of the unmanned public aircraft  
27 system is sought has been committed, is being committed, or will be  
28 committed; and

29        (e) A statement that other methods of data collection have been  
30 investigated and found to be either cost prohibitive or to pose an  
31 unacceptable safety risk to a law enforcement officer or to the public.

32        (3) If the judicial officer finds, based on the affidavit  
33 submitted, that there is probable cause to believe that a crime has  
34 been committed, is being committed, or will be committed and that there  
35 is probable cause to believe the personal information likely to be  
36 obtained from the use of the public unmanned aircraft system will be  
37 evidence of the commission of such offense, the judicial officer may  
38 issue a search warrant authorizing the use of the public unmanned

1 aircraft system. The search warrant shall authorize the collection of  
2 personal information contained in or obtained from the public unmanned  
3 aircraft system but shall not authorize the use of a biometric  
4 identification system.

5 (4) Warrants shall not be issued for a period greater than forty-  
6 eight hours. Extensions may be granted but shall be no longer than the  
7 authorizing judicial officer deems necessary to achieve the purposes  
8 for which it was granted and in no event for longer than thirty days.

9 (5) Within ten days of the execution of a search warrant, the  
10 officer executing the warrant must serve a copy of the warrant upon the  
11 person or persons upon whom personal information was collected except  
12 notice may be delayed under section 7 of this act.

13 NEW SECTION. **Sec. 7.** A governmental entity acting under this  
14 section may, when a warrant is sought, include in the petition a  
15 request, which the court shall grant, for an order delaying the  
16 notification required under section 6(5) of this act for a period not  
17 to exceed ninety days if the court determines that there is a reason to  
18 believe that notification of the existence of the warrant may have an  
19 adverse result.

20 (1) An adverse result for the purposes of this section is:  
21 (a) Placing the life or physical safety of an individual in danger;  
22 (b) Causing a person to flee from prosecution;  
23 (c) Causing the destruction of or tampering with evidence;  
24 (d) Causing the intimidation of potential witnesses; or  
25 (e) Jeopardizing an investigation or unduly delaying a trial.

26 (2) The governmental entity shall maintain a copy of certification.

27 (3) Extension of the delay of notification of up to ninety days  
28 each may be granted by the court upon application or by certification  
29 by a governmental entity.

30 (4) Upon expiration of the period of delay of notification under  
31 subsection (1) or (3) of this section, the governmental entity shall  
32 serve a copy of the warrant upon, or deliver it by registered or first-  
33 class mail to, the person or persons upon whom personal information was  
34 collected together with notice that:

35 (a) States with reasonable specificity the nature of the law  
36 enforcement inquiry; and

1 (b) Informs the person or persons upon whom personal information  
2 was collected (i) that notification was delayed; (ii) what governmental  
3 entity or court made the certification or determination pursuant to  
4 which that delay was made; and (iii) which provision of this section  
5 allowed such delay.

6 NEW SECTION. **Sec. 8.** It shall be lawful under this section for  
7 any law enforcement officer or other public official to operate a  
8 public unmanned aircraft system and disclose personal information from  
9 such operation if:

10 (1) Such officer reasonably determines that an emergency situation  
11 exists that involves immediate danger of death or serious physical  
12 injury to any person and:

13 (a) Requires operation of a public unmanned aircraft system before  
14 a warrant authorizing such interception can, with due diligence, be  
15 obtained;

16 (b) There are grounds upon which such a warrant could be entered to  
17 authorize such operation; and

18 (c) An application for a warrant providing such operation is made  
19 within forty-eight hours after the operation has occurred or begins to  
20 occur.

21 (2) In the absence of a warrant, an operation of a public unmanned  
22 aircraft system carried out under this subsection shall immediately  
23 terminate when the personal information sought is obtained or when the  
24 application for the warrant is denied, whichever is earlier.

25 (3) In the event such application for approval is denied, the  
26 personal information obtained from the operation of a device shall be  
27 treated as having been obtained in violation of this section and an  
28 inventory shall be served on the person named in the application.

29 NEW SECTION. **Sec. 9.** A public unmanned aircraft system may be  
30 operated and personal information from such operation disclosed in  
31 order to collect information pursuant to a search warrant issued by a  
32 court of competent jurisdiction by any judicial officer having  
33 authority to issue such warrant whose territorial jurisdiction  
34 encompasses the area to be inspected or entered or as otherwise  
35 provided in this section.

1 (1) Each petition for a warrant from a judicial officer to permit  
2 the use of a public unmanned aircraft system and information collected  
3 from such operation shall be made in writing, upon oath or affirmation,  
4 to a judicial officer in a court of competent jurisdiction for the  
5 geographic area in which a public unmanned aircraft system is to be  
6 operated or where there is probable cause, supported by affidavit,  
7 particularly describing the place, property, things, or persons to be  
8 inspected, tested, or information collected and the purpose for which  
9 the inspection, testing, or collection of information is to be made.

10 (2) Probable cause shall be deemed to exist if either:

11 (a) Reasonable legislative or administrative standards for  
12 conducting such inspection, testing, or information collected are  
13 satisfied with respect to the particular place, property, thing, or  
14 person; or

15 (b) There is cause to believe that there is such a condition,  
16 object, activity, or circumstance that legally justifies such  
17 inspection, testing, or collection of information.

18 (3) The agency official shall submit an affidavit that shall  
19 include the identity of the applicant and the identity of the agency  
20 conducting the inspection.

21 (4) The supporting affidavit shall contain either a statement that  
22 consent to the search and collection of information has been sought and  
23 refused or facts or circumstances reasonably justifying the failure to  
24 seek such consent in order to enforce effectively the safety and health  
25 laws, regulations, or standards of the warrant based on legislative or  
26 administrative standards for inspection.

27 (5) The affidavit shall contain factual allegations sufficient to  
28 justify an independent determination by a judge that the search is  
29 based on reasonable standards and the standards are being applied to a  
30 particular area in a neutral and fair manner.

31 (6) The issuing judicial officer may examine the affiant under oath  
32 or affirmation to verify the accuracy of any matter in the affidavit.

33 (7) Any warrant issued shall be effective for the time specified  
34 therein, but not for a period of more than fifteen days unless extended  
35 or renewed by the judicial officer who signed and issued the original  
36 warrant. The warrant shall be executed and shall be returned to the  
37 judicial officer by whom it was issued within the time specified in the

1 warrant or within the extended or renewed time. The return shall list  
2 the information collected pursuant to the warrant. After the  
3 expiration of such time, the warrant, unless executed, shall be void.

4 (8) No warrant shall be executed in the absence of the owner,  
5 tenant, operator, or custodian of the premises unless the issuing  
6 judicial official specifically authorizes that such authority is  
7 reasonably necessary to affect the purposes of the law or regulation.  
8 Entry pursuant to such a warrant shall not be made forcibly. The  
9 issuing officer may authorize a forcible entry where the facts (a)  
10 create a reasonable suspicion of immediate threat to the health or  
11 safety of persons or to the environment or (b) establish that  
12 reasonable attempts to serve a previous warrant have been unsuccessful.  
13 If forcible entry is authorized, the warrant shall be issued jointly to  
14 the applicant agency and a law enforcement officer shall accompany the  
15 agency official during the execution of the warrant.

16 (9) No court of the state shall have jurisdiction to hear a  
17 challenge to the warrant prior to its return to the issuing judicial  
18 officer, except as a defense in a contempt proceeding or if the owner  
19 or custodian of the place to be inspected submits a substantial  
20 preliminary showing by affidavit and accompanied by proof that (a) a  
21 statement included by the affiant in his or her affidavit for the  
22 search warrant was false and made knowingly and intentionally or with  
23 reckless disregard for the truth and (b) the false statement was  
24 necessary to the finding of probable cause. The court may conduct in  
25 camera review as appropriate.

26 (10) After the warrant has been executed and returned to the  
27 issuing judicial officer, the validity of the warrant may be reviewed  
28 either as a defense to any notice of violation or by declaratory  
29 judgment action brought in court. The review shall be confined to the  
30 face of the warrant, affidavits, and supporting materials presented to  
31 the issuing judicial officer. If the owner or custodian of the place  
32 inspected submits a substantial showing by affidavit and accompanied by  
33 proof that (a) a statement included in the warrant was false and made  
34 knowingly and intentionally or with reckless disregard for the truth  
35 and (b) the false statement was necessary to the finding of probable  
36 cause, the reviewing court shall limit its inquiry to whether there is  
37 substantial evidence in the record supporting the issuance of the  
38 warrant and may conduct a de novo determination of probable cause.

1        NEW SECTION.    **Sec. 10.**    Whenever any personal information from a  
2 public unmanned aircraft system has been acquired, no part of such  
3 personal information and no evidence derived therefrom may be received  
4 in evidence in any trial, hearing, or other proceeding in or before any  
5 court, grand jury, department, officer, agency, regulatory body,  
6 legislative committee, or other authority of the state or a political  
7 subdivision thereof if the collection or disclosure of that personal  
8 information would be in violation of this chapter.

9        NEW SECTION.    **Sec. 11.**    No personal information collected on an  
10 individual or area other than the target that justified the issuance of  
11 a search warrant may be used, copied, or disclosed for any purpose.  
12 Such personal information shall be deleted as soon as possible, and in  
13 no event later than twenty-four hours after collection.

14        NEW SECTION.    **Sec. 12.**    Personal information collected on any  
15 individual or area specified in the warrant shall be deleted within  
16 thirty days unless there is a reasonable belief that the personal  
17 information is evidence of criminal activity or civil liability related  
18 to the reason that allowed the use of the unmanned public aircraft  
19 system.

20        NEW SECTION.    **Sec. 13.**    The disclosure or publication, without  
21 authorization of a court, by a court officer, law enforcement officer,  
22 or other person responsible for the administration of this section of  
23 the existence of a search warrant issued pursuant to this section,  
24 application for such search warrant, any affidavit filed in support of  
25 such warrant, or any personal information obtained as a result of such  
26 search warrant is punishable as a class C felony.

27        NEW SECTION.    **Sec. 14.**    Any use of unmanned aircraft systems shall  
28 fully comply with all federal aviation administration requirements and  
29 guidelines.

30        NEW SECTION.    **Sec. 15.**    By July 1st of each year, any judicial  
31 officer who has authorized the issuance of a search warrant or  
32 extension of a public unmanned aircraft system that expired during the

1 preceding year or who has denied approval during that year shall report  
2 to the chief justice of the Washington supreme court or his or her  
3 designee the following information:

4 (1) The fact that a warrant or extension was applied for;

5 (2) The kind of warrant or extension applied for;

6 (3) The fact that the warrant or extension was granted as applied  
7 for, was modified, or was denied;

8 (4) The period of interceptions authorized by the order, and the  
9 number and duration of any extensions of the order;

10 (5) The offense or purpose specified in the petition and the  
11 probable cause giving rise to such warrant or extension of such  
12 warrant; and

13 (6) The identity of the applying state agency applicant or law  
14 enforcement officer, the agency making the application, and the  
15 judicial officer authorizing the petition.

16 NEW SECTION. **Sec. 16.** By July 1st of each year, any law  
17 enforcement agency who applied for a criminal search warrant for the  
18 use of a public unmanned aircraft system shall report to the chief of  
19 the Washington state patrol or his or her designee the following  
20 information:

21 (1) The information required by section 15 of this act with respect  
22 to each application for a search warrant or extension made during the  
23 preceding calendar year;

24 (2) The general description of the information gathered under such  
25 search warrant or extension including:

26 (a) The approximate nature and frequency of incriminating conduct  
27 gathered;

28 (b) The approximate number of persons upon whom information was  
29 gathered; and

30 (c) The approximate nature, amount, and cost of the manpower and  
31 other resources used in the collection;

32 (3) The number of arrests resulting from information gathered under  
33 such search warrant or extension and the offenses for which arrests  
34 were made;

35 (4) The number of trials resulting from such information;

36 (5) The number of motions to suppress made with respect to such  
37 information and the number granted or denied;

1 (6) The number of convictions resulting from such information and  
2 the offenses for which the convictions were obtained and a general  
3 assessment of the importance of the information; and

4 (7) The information required by section 15 of this act with respect  
5 to search warrants or extensions obtained in the preceding calendar  
6 year.

7 NEW SECTION. **Sec. 17.** By July 1st of each year, each state agency  
8 that applied for a search warrant or extension of a public unmanned  
9 aircraft system shall report to the governor or his or her designee the  
10 following information:

11 (1) The fact that such a warrant or extension was applied for;

12 (2) The kind of order or extension applied for;

13 (3) The fact that the order or extension was granted as applied  
14 for, was modified, or denied;

15 (4) The period of interceptions authorized by the order and the  
16 number and duration of any extensions of the order;

17 (5) The identity of the applicant and state agency making the  
18 petition and the judicial officer authorizing the petition;

19 (6) The probable cause giving rise to the issuance of the search  
20 warrant in the petition or extension of the warrant, including the  
21 conditions, object, activity, or circumstance that legally justified  
22 such inspection, testing, or collection of information;

23 (7) The general description of the information gathered under such  
24 warrant or extension, including:

25 (a) The approximate nature and frequency of the information  
26 gathered, collected, or inspected from such place, property, things, or  
27 persons;

28 (b) The approximate number of persons upon whom personal  
29 information was gathered; and

30 (c) The approximate nature, amount, and cost of the manpower and  
31 other resources used in the collection or inspection; and

32 (8) If applicable, the identity of the judicial officer authorizing  
33 forcible entry, the identity of the law enforcement officer who  
34 assisted the agency official, and information justifying the issuance  
35 of the forcible entry order.

1        NEW SECTION.    **Sec. 18.**    By December 1st of each year, the chief  
2 justice of the Washington supreme court or his or her designee, the  
3 chief of the Washington state patrol or his or her designee, and the  
4 governor or his or her designee shall transmit to the legislature a  
5 full and complete report concerning the number of applications for  
6 search warrants authorizing or approving operation of a public unmanned  
7 aircraft system or disclosure of information or data from the operation  
8 of a public unmanned aircraft system pursuant to this section and the  
9 number of search warrants and extensions granted or denied pursuant to  
10 this section during the preceding calendar year.    Such report shall  
11 include a summary and analysis of all the data required to be filed  
12 with the Washington supreme court, the Washington state patrol, and the  
13 governor.

14        NEW SECTION.    **Sec. 19.**    Excluding personally identifiable  
15 information, records required by sections 15 through 18 of this act  
16 shall be open to public disclosure under the Washington public records  
17 act, chapter 42.56 RCW.

18        NEW SECTION.    **Sec. 20.**    The governing body of any locality  
19 permitting the use of public unmanned aircraft systems shall publish  
20 publicly available written policies and procedures for the use of  
21 public unmanned aircraft systems by the law enforcement agencies of  
22 such locality.

23        NEW SECTION.    **Sec. 21.**    The governing body of any locality  
24 permitting the use of public unmanned aircraft systems shall, by  
25 ordinance, require the law enforcement agency of such locality  
26 operating a public unmanned aircraft system to maintain records of each  
27 use of a public unmanned aircraft system, including the date, time,  
28 location of use, target of data collection, type of data collected, the  
29 justification for the use, the operator of the public unmanned aircraft  
30 system, and the person who authorized the use.

31        NEW SECTION.    **Sec. 22.**    The governing body of any locality  
32 permitting the use of a public unmanned aircraft system shall conduct  
33 an annual comprehensive audit on the operation of all public unmanned  
34 aircraft systems, including the law enforcement log book, corresponding

1 emergency telephone calls, warrants, and other documentation of the  
2 justification for use and data collected. The audit shall be publicly  
3 available. The audit shall include:

4 (1) The number of uses of a public unmanned aircraft system  
5 organized by types of incidents and types of justification for use;

6 (2) The number of crime investigations aided by the use and how the  
7 use was helpful to the investigation;

8 (3) The number of uses of a public unmanned aircraft system for  
9 reasons other than criminal investigations and how the use was helpful;

10 (4) The frequency and type of data collected for individuals or  
11 areas other than targets;

12 (5) The total cost of the public unmanned aircraft system; and

13 (6) Additional information and analysis the governing body deems  
14 useful.

15 NEW SECTION. **Sec. 23.** The governing body of any locality  
16 permitting the use of a public unmanned aircraft system shall, upon  
17 completion of the publicly available annual audit on the use of public  
18 unmanned aircraft systems, review the use of public unmanned aircraft  
19 systems and consider both the benefits and risks to privacy before  
20 authorizing the continued operation of a public unmanned aircraft  
21 system in such locality.

22 NEW SECTION. **Sec. 24.** Sections 1 through 23 of this act  
23 constitute a new chapter in Title 10 RCW.

24 NEW SECTION. **Sec. 25.** This act is necessary for the immediate  
25 preservation of the public peace, health, or safety, or support of the  
26 state government and its existing public institutions, and takes effect  
27 immediately.

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