



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1233 (as introduced 11-28-18)
Sponsor: Senator Peter MacGregor
Committee: Transportation

Date Completed: 12-5-18

CONTENT

The bill would amend the Unmanned Aircraft Systems Act to do the following:

- **Prohibit a department, agency, board, or commission of the State, or a person under contract with or acting at the direction of those entities, from using an unmanned aircraft system (UAS) to surveil, inspect, or gather evidence or other information about a facility licensed or given a permit by one of those entities unless certain criteria applied.**
- **Require any data collected by the operation of a UAS concerning a facility licensed or given a permit by one of the listed entities to be furnished promptly to the facility's operator upon request.**

The bill would take effect 90 days after its enactment.

Under the bill, a department, agency, board, or commission of the State or a person under a contract with or acting at the direction or on behalf of a department, agency, board, or commission of the State could not use a UAS to surveil, inspect, or gather evidence or collect information about a facility that was operated under a license or permit issued by that department, agency, board, or commission unless any of the following applied:

- The operator of the facility had given express consent for the particular UAS operation.
- The department, agency, board, commission, or person was acting under a valid search warrant.
- The department, agency, board, or commission had reason to believe that there could be an imminent threat to public health, safety, welfare, property, or the natural resources of the State from the facility.

A UAS that was used as described above would have to be clearly marked as a State-owned or operated aircraft.

Any data, including videos, photographic images, or geospatial data collected by the operation of a UAS concerning a facility that was operated under a license or permit issued by a department, agency, board, or commission of the State would have to be furnished promptly to the facility's operator upon request and could not be subject to disclosure under the Freedom of Information Act.

Proposed MCL 259.307

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.