

SENATE BILL No. 1233

November 28, 2018, Introduced by Senator MACGREGOR and referred to the Committee on Transportation.

A bill to amend 2016 PA 436, entitled
"Unmanned aircraft systems act,"
(MCL 259.301 to 259.331) by adding section 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7. (1) A DEPARTMENT, AGENCY, BOARD, OR COMMISSION OF THIS
2 STATE OR A PERSON UNDER A CONTRACT WITH OR ACTING AT THE DIRECTION
3 OR ON BEHALF OF A DEPARTMENT, AGENCY, BOARD, OR COMMISSION OF THIS
4 STATE SHALL NOT USE AN UNMANNED AIRCRAFT SYSTEM TO SURVEIL,
5 INSPECT, OR GATHER EVIDENCE OR COLLECT INFORMATION ABOUT A FACILITY
6 THAT IS OPERATED UNDER A LICENSE OR PERMIT ISSUED BY THAT
7 DEPARTMENT, AGENCY, BOARD, OR COMMISSION UNLESS ANY OF THE
8 FOLLOWING APPLY:

9 (A) THE OPERATOR OF THE FACILITY HAS GIVEN EXPRESS CONSENT FOR
10 THE PARTICULAR UNMANNED AIRCRAFT SYSTEM OPERATION.

1 (B) THE DEPARTMENT, AGENCY, BOARD, COMMISSION, OR PERSON IS
2 ACTING UNDER A VALID SEARCH WARRANT.

3 (C) THE DEPARTMENT, AGENCY, BOARD, OR COMMISSION HAS REASON TO
4 BELIEVE THAT THERE MAY BE AN IMMINENT THREAT TO PUBLIC HEALTH,
5 SAFETY, WELFARE, PROPERTY, OR THE NATURAL RESOURCES OF THE STATE
6 FROM THE FACILITY.

7 (2) AN UNMANNED AIRCRAFT SYSTEM THAT IS USED AS DESCRIBED IN
8 SUBSECTION (1) MUST BE CLEARLY MARKED AS A STATE-OWNED OR OPERATED
9 AIRCRAFT.

10 (3) ANY DATA, INCLUDING VIDEOS, PHOTOGRAPHIC IMAGES, OR
11 GEOSPATIAL DATA COLLECTED BY THE OPERATION OF AN UNMANNED AIRCRAFT
12 SYSTEM CONCERNING A FACILITY THAT IS OPERATED UNDER A LICENSE OR
13 PERMIT ISSUED BY A DEPARTMENT, AGENCY, BOARD, OR COMMISSION OF THIS
14 STATE SHALL BE FURNISHED PROMPTLY TO THE FACILITY'S OPERATOR UPON
15 REQUEST AND SHALL NOT BE SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF
16 INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.