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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 149  
135<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 149's Bill Analysis](#)

**Version:** As Reported by House Aviation and Aerospace

**Primary Sponsor:** Rep. Willis

**Local Impact Statement Procedure Required:** No

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### Highlights

- Law enforcement agencies that utilize unmanned aerial vehicles (UAVs) and the courts that have jurisdiction over them may have to expend additional time and effort related to obtaining and issuing search warrants that are not required under existing law.
- Data storage costs may also increase as law enforcement agencies will be required to retain surveillance or flight data related to ongoing cases until that data is no longer necessary.

### Detailed Analysis

The bill regulates the use of unmanned aerial vehicles (UAVs) by law enforcement agencies for purposes of surveillance. Most notably, the bill specifies that unless certain criteria are met or if specified exemptions apply, information obtained through the use of a UAV is not admissible in a criminal proceeding unless the information was obtained pursuant to the authority granted under a properly issued search warrant or under exigent circumstances that constitute an exception to the general search warrant requirement. Based on conversations with statewide associations representing local law enforcement agencies, it appears that some number of agencies currently use UAVs for scene documentation, situational awareness and tactical deployment at an emergency scene, and for training purposes, in addition to criminal investigations and surveillance. The exact number of agencies using UAVs is unknown. However, the Ohio State Highway Patrol uses such technology routinely, including for crash scene documentation. The bill is not expected to impact a law enforcement agency's ability to use a UAV for these purposes.

In the event that a law enforcement agency chooses to start using UAVs as part of their surveillance efforts, that agency may incur additional costs to comply with the bill's regulations.

Those costs are likely to be minimal annually and may include additional time and effort on behalf of the agency and the court that has jurisdiction over them related to obtaining and issuing search warrants if one is required.

The bill also requires law enforcement agencies utilizing UAVs to retain any surveillance data or flight data that is relevant to an ongoing investigation, trial, or litigation until it is determined that such data is no longer necessary for that purpose. As this is a new provision, it is uncertain to what extent data storage costs could be impacted for any impacted law enforcement agency. Costs would depend on the current retention policy for the agency.