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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 409 Session of  
2015

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INTRODUCED BY CRUZ, YOUNGBLOOD, COHEN, SABATINA, KAUFFMAN,  
THOMAS, GABLER AND McCARTER, FEBRUARY 9, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in wiretapping and electronic  
3 surveillance, providing for unmanned aircraft surveillance.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Chapter 57 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER E.1

9 UNMANNED AIRCRAFT SURVEILLANCE

10 § 5776. Order authorizing unmanned aircraft surveillance.

11 (a) General rule.--The Attorney General, or, during the  
12 absence or incapacity of the Attorney General, a deputy attorney  
13 general designated in writing by the Attorney General, or the  
14 district attorney or, during the absence or incapacity of the  
15 district attorney, an assistant district attorney designated in  
16 writing by the district attorney of the county in which the  
17 suspected criminal activity has been, is or is about to occur,  
18 may make written application to any Superior Court judge for an

1 order authorizing the use of an unmanned aircraft by the  
2 investigative or law enforcement officers or agency having  
3 responsibility for an investigation involving suspected criminal  
4 activities when such use may provide evidence of the commission  
5 of any of the offenses enumerated in section 5708 (relating to  
6 order authorizing interception of wire, electronic or oral  
7 communications) or may provide evidence aiding in the  
8 apprehension of the perpetrator or perpetrators of any of the  
9 offenses listed under section 5708 if the offense is dangerous  
10 to life, limb or property and punishable by imprisonment for  
11 more than one year.

12 (b) Applicability of law.--The provisions of Subchapter B  
13 (relating to wire, electronic or oral communication) that are  
14 applicable to the interception of wire or electronic  
15 communications shall be applicable in the same manner to  
16 photographic evidence and other data or information obtainable  
17 from unmanned aircraft by a law enforcement officer under this  
18 subchapter.

19 (c) Definition.--As used in this section, the term "unmanned  
20 aircraft" means an aircraft that is operated without the  
21 possibility of direct human intervention from within or on the  
22 aircraft. The term includes the equipment associated with such  
23 aircraft that provides communication links and the components  
24 that control the unmanned aircraft required for the pilot in  
25 command to operate such aircraft safely and efficiently in the  
26 national airspace system.

27 Section 2. This act shall take effect in 60 days.