

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 251

Representative Willis

Cosponsors: Representatives Deeter, Fischer, Holmes, Hiner

A BILL

To amend sections 4561.01 and 4561.11 and to enact
sections 4561.60, 4561.61, 4561.62, 4561.63, and
4561.64 of the Revised Code to establish
requirements related to the use of an unmanned
aerial vehicle by law enforcement and to
expressly incorporate additional aviation
facilities into the Aeronautics Law.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4561.01 and 4561.11 be amended
and sections 4561.60, 4561.61, 4561.62, 4561.63, and 4561.64 of
the Revised Code be enacted to read as follows:

Sec. 4561.01. As used in sections 4561.01 to 4561.25 of
the Revised Code:

(A) "Aviation" means transportation by aircraft; operation
of aircraft; the establishment, operation, maintenance, repair,
and improvement of airports, seaplane bases, heliports,
vertiports, spaceports, landing fields, and other air navigation
facilities; and all other activities connected therewith or
incidental thereto.

(B) "Aircraft" means any contrivance used or designed for navigation or flight in the air, excepting a parachute or other contrivance for such navigation used primarily as safety equipment.

(C) "Airport" means any location either on land or water which is used for the landing and taking off of aircraft.

(D) "Landing field" means any location either on land or water of such size and nature as to permit the landing or taking off of aircraft with safety, and used for that purpose but not equipped to provide for the shelter, supply, or care of aircraft.

(E) "Air navigation facility" means any facility used, available for use, or designed for use in aid of navigation of aircraft, including airports, landing fields, facilities for the servicing of aircraft or for the comfort and accommodation of air travelers, and any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid to the safe taking off, navigation, and landing of aircraft, or to the safe and efficient operation or maintenance of an airport or landing field, and any combination of such facilities.

(F) "Air navigation hazard" means any structure, object of natural growth, or use of land, that obstructs the air space required for the flight of aircraft in landing or taking off at any airport or landing field, or that otherwise is hazardous to such landing or taking off.

(G) "Air navigation," "navigation of aircraft," or "navigate aircraft" means the operation of aircraft in the air space over this state.

(H) "Airperson" means any individual who, as the person in command, or as pilot, mechanic, or member of the crew, engages in the navigation of aircraft.

(I) "Airway" means a route in the air space over and above the lands or waters of this state, designated by the Ohio aviation board as a route suitable for the navigation of aircraft.

(J) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

(K) "Government agency" means a state agency, state institution of higher education, regional port authority, or any other political subdivision of the state, or the federal government or other states.

(L) "Heliport" means the area of land, water, or a structure that is used or intended to be used for the landing and takeoff of helicopters, including any appurtenant buildings and facilities.

(M) "Vertiport" means the identifiable ground or elevated areas, including the facilities thereon, that are designed to be used for the landing and takeoff of rotorcraft, tilt-rotor aircraft, or other powered lift aircraft.

(N) "Spaceport" means any facility in the state at which space vehicles may be landed or launched, including all facilities and support infrastructure related to the launch, landing, and payload processing.

(O) "Seaplane base" means a designated area of water used or intended to be used for the landing and takeoff of seaplanes

including shore side access and any appurtenant buildings and 77
facilities. 78

Sec. 4561.11. (A) All airports, seaplane bases, heliports, 79
vertiports, spaceports, landing fields, and landing areas shall 80
be approved by the department of transportation before being 81
used for commercial purposes. The department may issue a 82
certificate of approval in each case. The department shall 83
require that a complete plan of such airport, seaplane base, 84
heliport, vertiport, spaceport, landing field, or landing area 85
be filed with it before granting or issuing such approval; 86
provided that in no case in which the department licenses or 87
certifies an airport, seaplane base, heliport, vertiport, 88
spaceport, landing field, or landing area constructed, 89
maintained, or supported, in whole or in part, by public funds, 90
under sections 4561.01 to 4561.151 of the Revised Code, shall 91
the public be deprived of the use thereof or its facilities for 92
aviation purposes as fully and equally as all other parties. 93

(B) In any case in which the department rejects or 94
disapproves an application to operate an airport, seaplane base, 95
heliport, vertiport, spaceport, landing field, or landing area, 96
or in any case in which the department issues an order requiring 97
certain things to be done before approval, it shall set forth 98
its reasons therefor and shall state the requirements to be met 99
before such approval will be given or such order modified or 100
changed. In any case in which the department considers it 101
necessary, it may order the closing of any airport, seaplane 102
base, heliport, vertiport, spaceport, landing field, or landing 103
area for commercial purposes until the requirements of the order 104
made by the department are complied with. 105

(C) Appeal from any action or decision of the department 106

in any such matter shall be made in accordance with sections 107
119.01 to 119.13 of the Revised Code. 108

(D) (1) The department shall require that any person 109
engaged within this state in operating aircraft, in any form of 110
navigation, shall be the holder of a currently effective 111
aviator's license as required and issued by the ~~civil-~~ 112
~~aeronautics administration~~ federal aviation administration. 113

(2) The aviator's license, when required by this section, 114
shall be kept in the personal possession of the pilot when the 115
pilot is operating aircraft within this state, and shall be 116
presented for inspection upon the request of any passenger, any 117
authorized representative of the department, or any official 118
manager or person in charge of any airport, seaplane base, 119
heliport, vertiport, spaceport, landing field, or area in this 120
state upon which the pilot lands. 121

~~(B)~~ (E) Whoever violates this section shall be fined not 122
more than five hundred dollars, imprisoned not more than ninety 123
days, or both. 124

Sec. 4561.60. As used in sections 4561.60 to 4561.64 of 125
the Revised Code: 126

(A) "Surveillance data" means the data collected by an 127
unmanned aerial vehicle during its flight, including images, 128
videos, or other forms of observation recording. 129

(B) "Flight data" means the data pertaining to an unmanned 130
aerial vehicle's flight from both the original plan for the 131
flight and the actual flight that was taken, including the 132
flight's duration, path, and mission objectives. 133

(C) "Law enforcement agency" means a government entity 134
that employs peace officers to perform law enforcement duties. 135

(D) "Peace officer" has the same meaning as in section 136
2935.01 of the Revised Code. 137

(E) "Unmanned aerial vehicle" and "unmanned aerial vehicle 138
system" have the same meanings as in section 4561.50 of the 139
Revised Code. 140

Sec. 4561.61. (A) If a peace officer would otherwise be 141
required to obtain a search warrant to physically enter a house 142
or a place in person to conduct a search, the peace officer or 143
applicable law enforcement agency shall obtain a search warrant 144
to do either of the following to collect surveillance data 145
concerning the house or place in lieu of the in-person search: 146

(1) Enter the interior of the house or place through the 147
use of an unmanned aerial vehicle system; 148

(2) Observe the interior of the house or place through the 149
use of an unmanned aerial vehicle system. 150

(B) (1) Except as provided in division (B) (2) of this 151
section, surveillance data, and any information obtained through 152
that data, is not admissible in a criminal proceeding if it was 153
gathered under circumstances that require a search warrant under 154
division (A) of this section and a search warrant was not 155
obtained by either the peace officer or the law enforcement 156
agency. 157

(2) Surveillance data, and any information obtained 158
through that data, that was gathered under the circumstances 159
specified in section 4561.62 of the Revised Code may be admitted 160
in a criminal proceeding without a peace officer or law 161
enforcement agency obtaining a search warrant. 162

Sec. 4561.62. A law enforcement agency may use an unmanned 163
aerial vehicle for surveillance without a search warrant as 164

follows: 165

(A) To patrol within fifty miles of a national border for 166
purposes of policing that border to prevent or deter the illegal 167
entry of any individual, illegal substance, or contraband; 168

(B) When exigent circumstances exist; 169

(C) Before, during, or immediately after an environmental 170
or weather-related catastrophe to allow the agency to better 171
preserve public safety, to protect property, to survey 172
environmental damage in order to determine if a state of 173
emergency should be declared, or to conduct surveillance for the 174
assessment and evaluation of damage, erosion, flood, or 175
contamination; 176

(D) To examine the scene of a vehicle accident, monitor 177
traffic congestion, or conduct other forms of traffic law 178
enforcement under Chapter 4511. or 4513. of the Revised Code or 179
an equivalent municipal ordinance that does not require a peace 180
officer to obtain a search warrant in advance of conducting such 181
enforcement; 182

(E) To photograph and record evidence at a crime scene; 183

(F) For research, education, training, testing, or 184
development efforts related to unmanned aerial vehicles or 185
unmanned aerial vehicle systems, their technologies, and their 186
potential applications, undertaken by or in conjunction with a 187
school, an institution of higher education, or a public or 188
private collaborator. 189

Sec. 4561.63. (A) A law enforcement agency shall not use, 190
authorize the use of, or issue a permit for the use of, an 191
unmanned aerial vehicle armed with any lethal weapon. 192

(B) A law enforcement agency shall not authorize the use 193
of or issue a permit for the use of an unmanned aerial vehicle 194
for the surveillance of one private individual by another 195
private individual unless the agency obtains one of the 196
following: 197

(1) The express, informed consent of the individual being 198
surveilled by the unmanned aerial vehicle; 199

(2) The express, informed consent of the owner of the real 200
property on which the individual being surveilled by the 201
unmanned aerial vehicle is present. 202

Sec. 4561.64. (A) A law enforcement agency shall do both 203
of the following relative to its use of unmanned aerial 204
vehicles: 205

(1) Ensure that the agency and any applicable peace 206
officer employed by the agency documents all flight data for 207
each surveillance flight of an unmanned aerial vehicle taken by 208
or on behalf of the agency; 209

(2) Verify that the flight data for each surveillance 210
flight is accurate and complete. 211

(B) A law enforcement agency shall retain any surveillance 212
data or flight data that is relevant to an ongoing 213
investigation, trial, or litigation until it is determined that 214
such data is no longer necessary for that purpose. 215

(C) (1) Except as provided by division (C) (2) of this 216
section, a person accused of a crime that includes evidence 217
gathered through the use of an unmanned aerial vehicle may 218
obtain, via the subpoena and discovery process available during 219
court proceedings, information relating to that person acquired 220
in the course of surveillance of that person by the unmanned 221

aerial vehicle. 222

(2) The operational capabilities of the unmanned aerial 223
vehicle and unmanned aerial vehicle system or other operational 224
information strictly related to the technical conduct and 225
physical security of the surveillance operation is not evidence 226
subject to subpoena or discovery under division (C)(1) of this 227
section. 228

(D) The flight data required and retained in accordance 229
with this section is a public record for purposes of section 230
149.43 of the Revised Code, unless the content of that flight 231
data qualifies for an exemption under that section. 232

Section 2. That existing sections 4561.01 and 4561.11 of 233
the Revised Code are hereby repealed. 234