57        (d)  uses advanced technological instrumentality to detect, observe, measure, map, or

58  otherwise capture information or data about the property or characteristics of the property of

59  another for which the property owner has an expectation of privacy as described in Subsection

60  (2).

61        [(2)] (4)  A person is not guilty of a violation of this section if:

62        (a)  the device used is an unmanned aircraft;

63        (b)  the person is operating the unmanned aircraft for legitimate commercial or

64  educational purposes in a manner consistent with applicable Federal Aviation Administration

65  rules, exemptions, or other authorizations; and

66        (c)  any conduct described in Subsection [(1)] (3) that occurs via the unmanned aircraft

67  is solely incidental to the lawful commercial or educational use of the unmanned aircraft.

68        (5)  For a person who commits a violation of Subsection (3), a court may order the

69  person to remove and destroy any data collected by the person in the commission of the

70  violation of Subsection (3).

71        [(3)] (6)  Privacy violation is a class B misdemeanor.

72        (7) (a)  This section does not apply to lawful practices of:

73        (i)  a law enforcement agency; or

74        (ii)  another government entity.

75        (b)  Subsection (3)(d) does not apply to a land surveyor if:

76        (i)  the land surveyor is performing a survey service in good faith pursuant to a bona

77  fide contract; and

78        (ii)  for any data pertaining to property not owned by a party to the contract described in

79  Subsection (7)(b)(i) that is captured incidentally by the land surveyor, the land surveyor:

80        (A)  does not share, publish, sell, or distribute any incidentally captured data pertaining

81  to property that is not relevant to the contract described in Subsection (7)(b)(i); and

82        Ĥ→ [(B)  immediately deletes or destroys any data pertaining to property that is not relevant

83  to the contract described in Subsection (7)(b)(i).]

83a  **(B) upon completion of the contract, deletes or destroys any data pertaining to property that is**

83b  **not the subject of the contract. ←Ĥ**