

HCS HB 1898 -- USE OF AN UNMANNED AIRCRAFT

SPONSOR: Henderson

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Corrections and Public Institutions by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative Oversight by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 1898.

This bill creates the offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or certain open air facilities, including sports stadiums holding 5,000 or more persons, as defined in the bill.

A person commits such offense if he or she operates an unmanned aircraft within a distance of 400 feet of a correctional center, mental health hospital, or open air facility as specified in the bill or allows an unmanned aircraft to make contact with a correctional center, mental health hospital, or open air facility, including any person or object on the premises of or within the facility. The bill provides exceptions to the offense including a law enforcement agency, fire department, or utility company under specified circumstances.

The offense of unlawful use of an unmanned aircraft near a correctional center or mental health hospital is an infraction unless the person uses the unmanned aircraft for the purpose of:

- (1) Delivering a weapon or other article that may be used in such a manner to endanger the life of an offender or correctional center or mental health hospital employee, in which case it is a class B felony;
- (2) Facilitating an escape from confinement, in which case it's a class C felony; or
- (3) Delivering a controlled substance, in which case it is a class D felony.

Each correctional center or mental health hospital shall post a sign of the provisions of the offense. The sign must be at least 11" by 14" and be posted in a conspicuous location.

The offense of unlawful use of an unmanned aircraft near an open air facility is a class A misdemeanor unless the person uses the unmanned aircraft for the purpose of:

(1) Delivering a weapon or other article that may be used in such a manner to endanger the life of an employee or guest, in which case it is a class B felony;

(2) Delivering a controlled substance, in which case it is a class D felony.

This bill is similar to HB 324 (2019).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this bill is keeping up with new technology. Since 2016, there have been at least 11 drones flown over Missouri's correctional centers. There is no offense, currently, but inmates and correctional center employees fear for their safety when they see a drone near the center.

Testifying for the bill were Representative Henderson; Missouri Department of Corrections; and Mike Whittle, St. Louis Cardinals.

OPPOSERS: There was no opposition voiced to the committee.