

HCS HB 1898 -- USE OF AN UNMANNED AIRCRAFT (Henderson)

COMMITTEE OF ORIGIN: Standing Committee on Corrections and Public Institutions

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.