S T A T E O F N E W Y O R K

6222--C

Cal. No. 714

I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sens. RITCHIE, AKSHAR, MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the correction law, in relation to civilian drone use near a correctional facility

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The correction law is amended by adding a new section 624 to read as follows:

S 624. DRONE USE AROUND CORRECTIONAL FACILITIES. 1. NO PERSON, IN A PRIVATE CAPACITY, SHALL OPERATE A DRONE WITHIN ONE THOUSAND FEET OF A CORRECTIONAL FACILITY OR LOCAL CORRECTIONAL FACILITY IN THIS STATE.

2. AS USED IN THIS SECTION:

"DRONE" MEANS A POWERED OR UNPOWERED AERIAL VEHICLE OR A BALLOON FLOAT OR OTHER DEVICE THAT:

(A) DOES NOT CARRY A HUMAN OPERATOR;

(B) USES AERODYNAMIC FORCES OR GASES TO PROVIDE LIFT;

(C) CAN FLY AUTONOMOUSLY OR BE PILOTED REMOTELY;

(D) CAN BE EXPENDABLE OR RECOVERABLE;

(E) CAPTURES IMAGES OF OBJECTS OR PEOPLE ON THE GROUND AND IN THE AIR;

(F) INTERCEPTS COMMUNICATIONS ON THE GROUND AND IN THE AIR; AND/OR

(G) CAN CARRY A LETHAL OR NON-LETHAL PAYLOAD.

3. A VIOLATION OF THIS SECTION SHALL RESULT IN A CIVIL PENALTY OF ONE THOUSAND DOLLARS FOR THE FIRST OFFENSE AND A MISDEMEANOR FOR EACH SUBSEQUENT OFFENSE.

4. THIS SECTION SHALL NOT APPLY TO THE OPERATION OF A DRONE BY ANY PERSON OR ENTITY THAT THE FEDERAL AVIATION ADMINISTRATION HAS AUTHORIZED TO OPERATE A DRONE FOR A COMMERCIAL PURPOSE, WHERE THE DRONE IS OPERATED IN A MANNER THAT COMPLIES WITH THAT AUTHORIZATION.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD11941-07-6