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

8625--C

2015-2016 Regular Sessions

I N A S S E M B L Y

December 23, 2015

Introduced by M. of A. O'DONNELL, DUPREY -- Multi-Sponsored by -- M. of A. LOPEZ -- read once and referred to the Committee on Correction -- recommitted to the Committee on Correction in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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.

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

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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.