

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:

1     Section 1. The correction law is amended by adding a new section 624  
2     to read as follows:  
3     S 624. DRONE USE AROUND CORRECTIONAL FACILITIES. 1. NO PERSON, IN A  
4     PRIVATE CAPACITY, SHALL OPERATE A DRONE WITHIN ONE THOUSAND FEET OF A  
5     CORRECTIONAL FACILITY OR LOCAL CORRECTIONAL FACILITY IN THIS STATE.  
6     2. AS USED IN THIS SECTION:  
7     "DRONE" MEANS A POWERED OR UNPOWERED AERIAL VEHICLE OR A BALLOON FLOAT  
8     OR OTHER DEVICE THAT:  
9     (A) DOES NOT CARRY A HUMAN OPERATOR;  
10    (B) USES AERODYNAMIC FORCES OR GASES TO PROVIDE LIFT;  
11    (C) CAN FLY AUTONOMOUSLY OR BE PILOTED REMOTELY;  
12    (D) CAN BE EXPENDABLE OR RECOVERABLE;  
13    (E) CAPTURES IMAGES OF OBJECTS OR PEOPLE ON THE GROUND AND IN THE AIR;  
14    (F) INTERCEPTS COMMUNICATIONS ON THE GROUND AND IN THE AIR; AND/OR  
15    (G) CAN CARRY A LETHAL OR NON-LETHAL PAYLOAD.  
16    3. A VIOLATION OF THIS SECTION SHALL RESULT IN A CIVIL PENALTY OF ONE  
17    THOUSAND DOLLARS FOR THE FIRST OFFENSE AND A MISDEMEANOR FOR EACH SUBSE-  
18    QUENT OFFENSE.

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

LBD11941-08-6

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

5       S 2. This act shall take effect immediately.