

6222--C

Cal. No. 714

I N   S E N A T E

(PREFILED)

January 6, 2016

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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:

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.  
19    4. THIS SECTION SHALL NOT APPLY TO THE OPERATION OF A DRONE BY ANY  
20    PERSON OR ENTITY THAT THE FEDERAL AVIATION ADMINISTRATION HAS AUTHORIZED  
21    TO OPERATE A DRONE FOR A COMMERCIAL PURPOSE, WHERE THE DRONE IS OPERATED  
22    IN A MANNER THAT COMPLIES WITH THAT AUTHORIZATION.  
23    S 2. This act shall take effect immediately.

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

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