

# STATE OF NEW YORK

1600

2019-2020 Regular Sessions

## IN ASSEMBLY

January 15, 2019

Introduced by M. of A. ABINANTI, BUCHWALD, MOSLEY, SCHIMMINGER, GALEF, D'URSO, ORTIZ, GOTTFRIED, MONTESANO, CROUCH, DILAN, JONES -- read once and referred to the Committee on Correction

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 626  
2 to read as follows:

3 § 626. 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 § 2. This act shall take effect immediately.

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

LBD03925-01-9