STATE OF NEW YORK

5073

2021-2022 Regular Sessions

IN ASSEMBLY

February 10, 2021

Introduced by M. of A. ABINANTI, GALEF, GOTTFRIED, MONTESANO, 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:

Section 1. The correction law is amended by adding a new section 626 to read as follows:

§ 626. 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.

§ 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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