STATE OF NEW YORK

4481

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

Introduced by Sens. GALLIVAN, HELMING, O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and 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 627 to read as follows:

§ 627. 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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