§ 236. Drones. 1. The terms used in this section shall have the same meaning as given in section 280.00 of the penal law.

2. A police officer as defined by subdivision thirty-four of section 1.20 of the criminal procedure law, or a peace officer as defined by section 2.10 of the criminal procedure law, acting within such peace officer's geographical jurisdiction, may take reasonable and necessary mitigation measures against a credible threat that a drone poses to the safety or security of people and/or prohibited spaces. Such measures may include but not be limited to any of the following:

(a) The use of detection, tracking, and identification methods of a drone and/or drone operating system.

(b) The interception or disabling of a drone and/or drone operating system through legal and safe methods, including but not limited to both kinetic and non-kinetic mitigation measures.

(c) A law enforcement officer or agency may only use kinetic measures when non-kinetic measures have or would reasonably be expected to fail, provided that such kinetic measures are deployed using federally approved technologies.

3. The superintendent shall, within six months of the effective date of this section, promulgate rules and regulations for drone mitigation by police officers and peace officers. Such rules and regulations shall prioritize the use of the least destructive measures necessary to mitigate the threat posed by the drone.

4. (a) A qualifying police officer or peace officer shall act pursuant to subdivision two of this section only if: (i) the officer has completed the training required by the superintendent or the superintendent's designee, in addition to any other training and certification required by federal law; (ii) the officer has reasonable suspicion that the drone is operating in a nefarious manner or within a prohibited space before using non-kinetic measures; and (iii) the officer has probable cause a drone is operating in a nefarious manner or within prohibited space before using kinetic measures. Any drone mitigation measure employed must occur in accordance with the regulations prescribed pursuant to subdivision three of this section and

in accordance with applicable federal law.

(b) Within forty-eight hours of utilizing any mitigation measures authorized by this section, the agency employing the officer who utilized such measures shall report such utilization to the superintendent or the superintendent's designee, in the form and manner prescribed by the superintendent, in addition to any reporting required by federal law.

5. The superintendent may designate one or more areas of the state as a space to test kinetic and non-kinetic mitigation measures.

6. The superintendent shall establish a registry known as "the New York state blue list". Such registry shall include vetted and approved vendors that comply with applicable federal requirements. Upon publication of the registry, the state, its agencies, and any political subdivisions of the state may only buy or lease drones and drone mitigation technology from vendors listed on such registry.