

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 194

100TH GENERAL ASSEMBLY

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Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, February 14, 2019, with recommendation that the Senate Committee Substitute do pass.

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ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to the offense of unlawful use of unmanned aircraft near a correctional center, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be known as section 217.850, to read as follows:

**217.850. 1. A person commits the offense of unlawful use of unmanned aircraft near a correctional center if he or she intentionally:**

**(1) Operates an unmanned aircraft within a vertical distance of three hundred feet or a horizontal distance of five hundred feet from a correctional center; or**

**(2) Uses an unmanned aircraft to deliver to a person in the custody of a correctional center any object described in subdivisions (1) or (3) of subsection 5 of this section.**

**2. For the purposes of subsection 1 of this section, a vertical distance extends from ground level, and horizontal distance extends outward from the furthest exterior building walls, perimeter fences, and permanent fixed perimeter, or from another boundary clearly marked by posted notices.**

**3. For purposes of this section, the term "correctional center" shall include:**

**(1) Any correctional center as defined in section 217.010;**

**(2) Any private jail as defined in section 221.095;**

**(3) Any county or municipal jail.**

**4. The provisions of this section shall not prohibit the operation**

20 of an unmanned aircraft by:

21 (1) An employee of the correctional center at the direction of the  
22 chief administrative officer of the facility;

23 (2) A person who has written consent from the chief  
24 administrative officer of the facility;

25 (3) An employee of a law enforcement agency, fire department,  
26 or emergency medical service in the exercise of official duties;

27 (4) A government official or employee in the exercise of official  
28 duties;

29 (5) A public utility if:

30 (a) The unmanned aircraft is used for the purpose of inspecting,  
31 repairing, or maintaining utility transmission, distribution lines, other  
32 utility equipment, or infrastructure;

33 (b) The utility notifies the correctional center at least twenty-  
34 four hours before flying the unmanned aircraft, except during an  
35 emergency; and

36 (c) The person operating the unmanned aircraft does not  
37 physically enter the prohibited space without an escort provided by the  
38 correctional center.

39 5. The offense of unlawful use of unmanned aircraft near a  
40 correctional center is a class A misdemeanor unless the person uses an  
41 unmanned aircraft for the purpose of:

42 (1) Delivering a gun, knife, weapon, or other article that may be  
43 used in such manner to endanger the life of an offender or correctional  
44 center employee, in which case it is a class B felony;

45 (2) Facilitating an escape from confinement under section  
46 575.210, in which case it is a class C felony; or

47 (3) Delivering a controlled substance, as that term is defined by  
48 chapter 195, in which case it is a class D felony.

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