

FIRST REGULAR SESSION

SENATE BILL NO. 194

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Pre-filed December 20, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0777S.011

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.

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 knowingly:

(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) Allows an unmanned aircraft to make contact with a correctional center, including any person or object on the premises of or within the facility.

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 the purposes of this section, "correctional center" shall be defined as in section 217.010, but shall exclude a penal institution located in a county with a charter form of government.

4. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

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

21 **(2) A person who has written consent from the chief**
22 **administrative officer of the facility;**

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

25 **(4) A government official or employee in the exercise of official**
26 **duties;**

27 **(5) A public utility if:**

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

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

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

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

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

43 **(2) Facilitating an escape from confinement under section**
44 **575.210, in which case it is a class C felony; or**

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

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