

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/House Bill No. 1963, Page 12, Section 144.805, Line 24,

2 by inserting after all of said line the following:

3 "217.850. 1. A person commits the offense of unlawful use
4 of unmanned aircraft over a correctional center if he or she
5 purposely:

6 (1) Operates an unmanned aircraft within a vertical
7 distance of four hundred feet over a correctional center's secure
8 perimeter fence; or

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

12 2. For purposes of this section, "correctional center"
13 shall include:

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

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

16 (3) Any county or municipal jail.

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

19 (1) An employee of the correctional center at the direction
20 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;

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

5 (4) A government official or employee in the exercise of
6 official duties;

7 (5) A public utility or a rural electric cooperative if:

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

11 (b) The utility notifies the correctional center before
12 flying the unmanned aircraft, except during an emergency; and

13 (c) The person operating the unmanned aircraft does not
14 physically enter the prohibited space without an escort provided
15 by the correctional center;

16 (6) An employee of a railroad in the exercise of official
17 duties on any land owned or operated by a railroad corporation
18 regulated by the Federal Railroad Administration; or

19 (7) A person operating an unmanned aircraft pursuant to and
20 in compliance with any waiver issued by the Federal Aviation
21 Authority under 14 C.F.R. Section 107.200.

22 4. The offense of unlawful use of unmanned aircraft over a
23 correctional center shall be punishable as an infraction unless
24 the person uses an unmanned aircraft for the purpose of:

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

29 (2) Facilitating an escape from confinement under section

2 575.210, in which case the offense is a class C felony; or

3 (3) Delivering a controlled substance, as that term is
4 defined under section 195.010, in which case the offense is a
5 class D felony.

6 5. Each correctional center shall post a sign warning of
7 the provisions of this section. The sign shall be at least
8 eleven inches by fourteen inches and posted in a conspicuous
9 place."; and

10 Further amend said bill, Page 182, Section 577.001, Line 4,
11 by inserting after all of said line the following:

12 "577.800. 1. A person commits the offense of unlawful use
13 of unmanned aircraft over an open-air facility if he or she
14 purposely:

15 (1) Operates an unmanned aircraft within a vertical
16 distance of four hundred feet from the ground and within the
17 property line of an open-air facility; or

18 (2) Uses an unmanned aircraft with the purpose of
19 delivering to a person within an open-air facility any object
20 described in subdivision (1) or (2) of subsection 4 of this
21 section.

22 2. For purposes of this section, "open-air facility" shall
23 mean any sports, theater, music, performing arts, or other
24 entertainment facility with a capacity of five thousand people or
25 more and not completely enclosed by a roof or other structure.

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

28 (1) An employee of an open-air facility at the direction of
29 the president or chief executive officer of the open-air

2 facility;

3 (2) A person who has written consent from the president or
4 chief executive officer of the open-air facility;

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

8 (4) A government official or employee in the exercise of
9 official duties;

10 (5) A public utility or a rural electric cooperative if:

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

14 (b) The utility or cooperative notifies the open-air
15 facility before flying the unmanned aircraft, except during an
16 emergency; and

17 (c) The person operating the unmanned aircraft does not
18 physically enter the prohibited space without an escort provided
19 by the open-air facility; or

20 (6) An employee of a railroad in the exercise of official
21 duties on any land owned or operated by a railroad corporation
22 regulated by the Federal Railroad Administration.

23 4. The offense of unlawful use of unmanned aircraft over an
24 open-air facility shall be punishable as a infraction unless the
25 person uses an unmanned aircraft for:

26 (1) Delivering a gun, knife, weapon, or other article that
27 may be used in such manner to endanger the life of an employee or
28 guest at an open-air facility, in which case the offense is a
29 class B felony; or

2 (2) Delivering a controlled substance, as that term is
3 defined under section 195.010, in which case the offense is a
4 class D felony.

5 5. Each open-air facility shall post a sign warning of the
6 provisions of this section. The sign shall be at least eleven
7 inches by fourteen inches and posted in a conspicuous place.

8 632.460. 1. A person commits the offense of unlawful use
9 of unmanned aircraft over a mental health hospital if he or she
10 purposely:

11 (1) Operates an unmanned aircraft within a vertical
12 distance of four hundred feet over the mental health hospital's
13 property line; or

14 (2) Uses an unmanned aircraft to deliver to a person
15 confined in a mental health hospital any object described in
16 subdivision (1) or (3) of subsection 6 of this section.

17 2. For the purposes of subsection 1 of this section,
18 vertical distance extends from ground level.

19 3. For purposes of this section, "mental health hospital"
20 shall mean a facility operated by the department of mental health
21 to provide inpatient evaluation, treatment, or care to persons
22 suffering from a mental disorder, as defined under section
23 630.005; mental illness, as defined under section 630.005; or
24 mental abnormality, as defined under section 632.480.

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

27 (1) An employee of the mental health hospital at the
28 direction of the chief administrative officer of the mental
29 health hospital;

2 (2) A person who has written consent from the chief
3 administrative officer of the mental health hospital;

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

7 (4) A government official or employee in the exercise of
8 official duties;

9 (5) A public utility or a rural electric cooperative if:

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

13 (b) The utility notifies the mental health hospital before
14 flying the unmanned aircraft, except during an emergency; and

15 (c) The person operating the unmanned aircraft does not
16 physically enter the prohibited space without an escort provided
17 by the mental health hospital;

18 (6) An employee of a railroad in the exercise of official
19 duties on any land owned or operated by a railroad corporation
20 regulated by the Federal Railway Administration; or

21 (7) A person operating an unmanned aircraft pursuant to and
22 in compliance with any waiver issued by the Federal Aviation
23 Authority under 14 C.F.R. Section 107.200.

24 5. Each mental health hospital shall post a sign warning of
25 the provisions of this section. The sign shall be at least
26 eleven inches by fourteen inches and posted in a conspicuous
27 place.

28 6. The offense of unlawful use of unmanned aircraft over a
29 mental health hospital shall be punishable as an infraction

2 unless the person uses an unmanned aircraft for the purpose of:

3 (1) Delivering a gun, knife, weapon, or other article that
4 may be used in such manner to endanger the life of a patient or
5 mental health hospital employee, in which case the offense is a
6 class B felony;

7 (2) Facilitating an escape from commitment or detention
8 under section 575.195, in which case the offense is a class C
9 felony; or

10 (3) Delivering a controlled substance, as that term is
11 defined under section 195.010, in which case the offense is a
12 class D felony."; and

13 Further amend the title and enacting clause accordingly.