

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: SB1301

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: McEachin

3. Committee: Courts of Justice

4. Title: Limitations on use of drone aircraft; penalties.

5. Summary: The proposed legislation provides that no governmental agency or organization having jurisdiction over criminal or regulatory violations, including the Department of State Police, nor any local law-enforcement department, may procure a public unmanned aircraft system (drone aircraft) without the approval of the General Assembly or the local governing body, respectively. The bill requires a warrant for governmental use of such an aircraft. Law-enforcement officers and other public officials may operate a public unmanned aircraft system and disclose personal information from such operation under certain emergency situations without a warrant. The bill also provides that it is not unlawful for a public institution of higher education or other research organizations and institutions to operate a drone aircraft solely for research and development purposes. The bill contains extensive procedural guarantees against the release of personal information and establishes reporting requirements by agencies and courts with respect to use of and data collected by such aircraft. The bill creates a Class 1 misdemeanor for the operation, manufacture, sale, or distribution of an unmanned aircraft system (drone) as a weapon or to deliver a weapon.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to this proposal, the proposed legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes may result in sentences of up to 12 months in jail (and a fine up to \$2,500). Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state.

The bill has no material impact on the Department of State Police. At this time, no material fiscal impact is anticipated on Virginia courts.

9. Specific Agency or Political Subdivisions Affected: Compensation Board, Department of State Police, state and local governmental agency or organization having jurisdiction over criminal or regulatory violations, local law enforcement agencies, Commonwealth's Attorneys, Virginia National Guard, and courts.

10. Technical Amendment Necessary: None.

11. Other Comments: Similar to HB2077.

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