

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-926.3 of the Code of Virginia, to amend the Code of Virginia by*
3 *adding a section numbered 18.2-121.3 and by adding in Article 8 of Chapter 7 of Title 18.2 a*
4 *section numbered 18.2-324.2, and to repeal the second enactment of Chapter 451 of the Acts of*
5 *Assembly of 2016, relating to trespass; unmanned aircraft system; penalty.*

6 [H 638]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 15.2-926.3 of the Code of Virginia is amended and reenacted and that the Code of**
10 **Virginia is amended by adding a section numbered 18.2-121.3 and by adding in Article 8 of**
11 **Chapter 7 of Title 18.2 a section numbered 18.2-324.2 as follows:**

12 **§ 15.2-926.3. (Expires July 1, 2019) Local regulation of certain aircraft.**

13 *No ~~locality~~ political subdivision may regulate the use of a privately owned, unmanned aircraft system*
14 *as defined in § 19.2-60.1 within its boundaries. Nothing in this section shall permit a person to go or*
15 *enter upon land owned by a political subdivision solely because he is in possession of an unmanned*
16 *aircraft system if he would not otherwise be permitted entry upon such land.*

17 **§ 18.2-121.3. Trespass with an unmanned aircraft system; penalty.**

18 *A. Any person who knowingly and intentionally causes an unmanned aircraft system to enter the*
19 *property of another and come within 50 feet of a dwelling house (i) to coerce, intimidate, or harass*
20 *another person or (ii) after having been given actual notice to desist, for any other reason, is guilty of a*
21 *Class 1 misdemeanor.*

22 *B. This section shall not apply to any person who causes an unmanned aircraft system to enter the*
23 *property as set forth in subsection A if (i) consent is given to the entry by any person with legal*
24 *authority to consent or by any person who is lawfully present on such property or (ii) such person is*
25 *authorized by federal regulations to operate an unmanned aircraft system and is operating such system*
26 *in an otherwise lawful manner and consistent with federal regulations.*

27 **§ 18.2-324.2. Use of unmanned aircraft system for certain purposes; penalty.**

28 *A. It is unlawful for any person who is required to register pursuant to § 9.1-901 to use or operate*
29 *an unmanned aircraft system to knowingly and intentionally (i) follow or contact another person without*
30 *permission of such person or (ii) capture the images of another person without permission of such*
31 *person when such images render the person recognizable by his face, likeness, or other distinguishing*
32 *characteristic.*

33 *B. It is unlawful for a respondent of a protective order issued pursuant to § 16.1-279.1 or*
34 *19.2-152.10 to knowingly and intentionally use or operate an unmanned aircraft system to follow,*
35 *contact, or capture images of the petitioner of the protective order or any other individual named in the*
36 *protective order.*

37 *C. A violation of this section is a Class 1 misdemeanor.*38 **2. That the second enactment of Chapter 451 of the Acts of Assembly of 2016 is repealed.**

39 **3. That the Secretary of Commerce and Trade, in consultation with the Virginia Economic**
40 **Development Partnership, shall study the impact of this act on unmanned aircraft research,**
41 **innovation, and economic development in Virginia and report to the Governor and General**
42 **Assembly no later than November 1, 2019.**

REENROLLED

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