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HOUSE BILL NO. 1636

Offered January 9, 2019

Prefiled November 15, 2018

A *BILL to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to trespass; unmanned aircraft system; military airfield or military helicopter landing zone; penalty.*

Patron—Knight

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 18.2-121.3 of the Code of Virginia is amended and reenacted as follows:****§ 18.2-121.3. Trespass with an unmanned aircraft system; penalty.**

A. Any person who knowingly and intentionally causes an unmanned aircraft system to enter (i) the property of another and come within 50 feet of a dwelling house ~~(i)~~ (a) to coerce, intimidate, or harass another person or ~~(ii)~~ (b) after having been given actual notice to desist, for any other reason, or (ii) the airspace within one mile of the boundary of any military airfield or military helicopter landing zone in the Commonwealth for any reason is guilty of a Class 1 misdemeanor.

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

INTRODUCED

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