

2023 SESSION

INTRODUCED

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SENATE BILL NO. 1073

Offered January 11, 2023

Prefiled January 9, 2023

A BILL to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to unmanned aircraft systems; trespass over correctional facilities; penalty.

Patrons—Hackworth, Chase, Cosgrove, DeSteph, Hanger, Newman, Norment, Obenshain, Peake, Reeves, Ruff and Stanley

Referred to Committee on the Judiciary

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 (i) enter the property of another and come within 50 feet of a dwelling house (a) to coerce, intimidate, or harass another person or (b) after having been given actual notice to desist, for any other reason, or; (ii) take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions; or (iii) come within 400 feet of the lateral boundaries of any local or state correctional facility, as defined in § 53.1-1, or juvenile correctional center 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 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.

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