

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Corrections and Institutions to which was referred
3 House Bill No. 615 entitled “An act relating to prohibiting drones near
4 correctional facilities“ respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 4 V.S.A. § 1102 is amended to read:

8 § 1102. JUDICIAL BUREAU; JURISDICTION

9 * * *

10 (b) The Judicial Bureau shall have jurisdiction of the following matters:

11 * * *

12 (28) Violations of 20 V.S.A. § 4625, relating to the use of drones near
13 correctional facilities.

14 * * *

15 Sec. 2. 20 V.S.A. § 4621 is amended to read:

16 § 4621. DEFINITIONS

17 As used in this chapter:

18 (1) “Correctional facility” shall have the same meaning as in 28 V.S.A.

19 § 3.

20 (2) “Drone” means a powered aerial vehicle that does not carry a human
21 operator and is able to fly autonomously or to be piloted remotely.

1 ~~(2)~~(3) “Law enforcement agency” means:

2 (A) the Vermont State Police;

3 (B) a municipal police department;

4 (C) a sheriff’s department;

5 (D) the Office of the Attorney General;

6 (E) a State’s Attorney’s office;

7 (F) the Capitol Police Department;

8 (G) the Department of Liquor Control;

9 (H) the Department of Fish and Wildlife;

10 (I) the Department of Motor Vehicles;

11 (J) a State investigator; or

12 (K) a person or entity acting on behalf of an agency listed in this

13 subdivision ~~(2)~~(3).

14 (4) “Public safety agency” shall have the same meaning as in
15 section 1841 of this title.

16 Sec. 3. 20 V.S.A. § 4625 is added to read:

17 § 4625. CORRECTIONAL FACILITIES; USE OF DRONES PROHIBITED;

18 CIVIL PENALTY

19 (a) A person shall not knowingly operate a drone over a correctional

20 facility or surrounding property that is readily recognizable to a reasonable

1 person as being correctional facility property or is reasonably identified as such
2 by fencing or appropriate signs.

3 (b) A person who violates subsection (a) of this section shall be assessed a
4 civil penalty of not more than \$500.00.

5 (c)(1) Subsection (a) of this section shall not apply to the use of a drone by:

6 (A) the Department of Corrections;

7 (B) a person operating a drone with the written consent of the
8 correctional facility's supervising officer; or

9 (C) a person operating a drone that is being used for a commercial
10 purpose, if the person is operating in compliance with any authorization, rule,
11 or exemption granted by the Federal Aviation Administration.

12 (2) With prior notice to the correctional facility, subsection (a) of this
13 section shall not apply to the use of a drone by:

14 (A) the Department of Buildings and General Services or its
15 contractors working on behalf of the Department;

16 (B) a law enforcement agency; or

17 (C) a public safety agency responding to an emergency or a person
18 engaged in emergency functions or emergency management pursuant to
19 chapter 1 of this title (emergency management).

20 Sec. 4. EFFECTIVE DATE

21 This act shall take effect on passage.

1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE