

HOUSE BILL No. 1165

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-46-10.

Synopsis: Flight restrictions on unmanned aerial vehicles. Provides that a person who knowingly or intentionally flies an unmanned aerial vehicle within 400 feet of a critical infrastructure facility commits a Class A misdemeanor. Defines "critical infrastructure facility".

Effective: July 1, 2017.

Schaibley

January 9, 2017, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-31.5-2-144, AS AMENDED BY P.L.170-2014,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 144. (a) "Governmental entity", **except as**
4 **provided in subsections (b) and (c), means:**
5 (1) the United States or any state, county, township, city, town,
6 separate municipal corporation, special taxing district, or public
7 school corporation;
8 (2) any authority, board, bureau, commission, committee,
9 department, division, hospital, military body, or other
10 instrumentality of any of those entities; or
11 (3) a state assisted college or state assisted university.
12 (b) For purposes of IC 35-33-5, "governmental entity" also includes
13 a person authorized to act on behalf of a state or local agency.
14 (c) For purposes of IC 35-46-10, "governmental entity" has the
15 **meaning set forth in IC 35-46-10-2.**

16 SECTION 2. IC 35-31.5-2-342.3, AS ADDED BY P.L.170-2014,
17 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2017]: Sec. 342.3. "Unmanned aerial vehicle", for purposes
 2 of IC 35-33-5 **and IC 35-46-10**, has the meaning set forth in
 3 IC 35-33-5-0.5(7).

4 SECTION 3. IC 35-46-10 IS ADDED TO THE INDIANA CODE
 5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2017]:

7 **Chapter 10. Use of Unmanned Aerial Vehicles**

8 **Sec. 1. This chapter does not apply to:**

- 9 (1) the United States;
 10 (2) a governmental entity;
 11 (3) a law enforcement agency;
 12 (4) an owner or operator of a critical infrastructure facility
 13 with respect to operation and maintenance of the critical
 14 infrastructure facility that the owner owns or the operator
 15 operates;
 16 (5) a person with prior authorization of an owner or operator
 17 of the critical infrastructure facility;
 18 (6) the owner or occupant of property on which a critical
 19 infrastructure facility is located;
 20 (7) a contractor or other person acting under the direction of
 21 or on behalf of:
 22 (A) the United States;
 23 (B) a governmental entity;
 24 (C) a law enforcement agency; or
 25 (D) a person listed in subdivisions (1) through (6); or
 26 (8) a person operating an unmanned aerial vehicle in
 27 accordance with Federal Aviation Administration guidelines.

28 **Sec. 2. The following definitions apply throughout this chapter:**

- 29 (1) "Critical infrastructure facility" means an electrical
 30 power generating facility, a substation, a switching station, or
 31 an electrical control center.
 32 (2) "Governmental entity" means the state or any county,
 33 city, or town.

34 **Sec. 3. Except as provided in section 1 of this chapter, a person**
 35 **who knowingly or intentionally flies an unmanned aerial vehicle**
 36 **within four hundred (400) feet of a critical infrastructure facility**
 37 **commits unlawful operation of an unmanned aerial vehicle, a Class**
 38 **A misdemeanor.**

