

HOUSE No. 1406

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Finn

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to unmanned aerial vehicles.

PETITION OF:

NAME:

Michael J. Finn

DISTRICT/ADDRESS:

6th Hampden

HOUSE No. 1406

By Mr. Finn of West Springfield, a petition (accompanied by bill, House, No. 1406) of Michael J. Finn relative to penalties for unauthorized use of unmanned aerial vehicles. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3496 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to unmanned aerial vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 269 of the General Laws is hereby amended by adding the following section:-

2 Section 20. (a) As used in this section, the following words shall, unless context clearly
3 requires otherwise, have the following meanings:-

4 “Critical infrastructure facility”, if completely enclosed by a fence or other physical
5 barrier designed to exclude intruders, or if marked with a sign conspicuously posted on the
6 property that indicates that entry is forbidden: (i) a petroleum or alumina refinery; (ii) an
7 electrical power generating facility, substation, switching station or electrical control center; (iii)
8 a chemical, polymer or rubber manufacturing facility; (iv) a water intake structure, water
9 treatment facility, wastewater treatment plant or pump station; (v) a natural gas compressor
10 station; (vi) a liquid natural gas terminal or storage facility; (vii) a telecommunications central

11 switching office; (viii) a port, railroad switching yard, trucking terminal or other freight
12 transportation facility; (ix) a gas processing plant, including a plant used in the processing,
13 treatment or fractionation of natural gas; (x) a transmission facility used by a federally licensed
14 radio or television station; (xi) a steelmaking facility that uses an electric arc furnace to make
15 steel; (xii) any portion of an aboveground oil, gas or chemical pipeline; or (xiii) a correctional
16 facility or law enforcement facility.

17 “Unmanned aerial vehicle”, an aircraft that is operated without the possibility of direct
18 human intervention from within or on the aircraft.

19 (b) Whoever, without lawful authority, weaponizes an unmanned aerial vehicle or
20 operates a weaponized unmanned aerial vehicle shall be punished by imprisonment in the state
21 prison for not less than 3 years nor more than 20 years or imprisonment in the house of
22 correction for not less than 6 months nor more than 2 ½ years, or by fine of not less than \$1,000
23 nor more than \$50,000, or by both such fine and imprisonment.

24 (c) Whoever willfully uses an unmanned aerial vehicle to photograph, videotape or
25 electronically surveil another person when the other person in such place and circumstance
26 would have a reasonable expectation of privacy in not being so photographed, videotaped or
27 electronically surveilled, and without that person's knowledge and consent, shall be punished by
28 imprisonment in the house of correction for not more than 2 ½ years or by a fine of not more
29 than \$5,000, or by both such fine and imprisonment.

30 (d) Whoever, without lawful authority, willfully uses an unmanned aerial vehicle to
31 photograph, videotape or electronically surveil a critical infrastructure facility, shall be punished

32 by imprisonment in the house of correction for not more than 2 ½ years or by a fine of not more
33 than \$5,000, or by both such fine and imprisonment.