

# SENATE BILL 702

E5

3lr0031

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – State Correctional Facilities – Unauthorized Operation**  
3 **of Unmanned Aircraft**

4 FOR the purpose of prohibiting a person from operating or causing the operation of an  
5 unmanned aircraft over a State correctional facility unless authorized by the  
6 Secretary of Public Safety and Correctional Services or the Secretary’s designee; and  
7 generally relating to the operation of unmanned aircraft.

8 BY adding to

9 Article – Correctional Services

10 Section 10–802

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2022 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Correctional Services**

16 **10–802.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
18 INDICATED.

19 (2) “AIRCRAFT” MEANS A DEVICE THAT IS USED OR INTENDED TO BE  
20 USED FOR FLIGHT IN THE AIR.

21 (3) “CORRECTIONAL FACILITY” INCLUDES THE BUILDINGS AND  
22 GROUNDS OF A CORRECTIONAL FACILITY.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(4) “UNMANNED AIRCRAFT” MEANS AN AIRCRAFT THAT IS OPERATED**  
2 **WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM WITHIN OR ON**  
3 **THE AIRCRAFT.**

4           **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PERSON**  
5 **MAY NOT OPERATE OR CAUSE THE OPERATION OF AN UNMANNED AIRCRAFT ABOVE**  
6 **A STATE CORRECTIONAL FACILITY UNLESS AUTHORIZED BY THE SECRETARY OR**  
7 **THE SECRETARY’S DESIGNEE.**

8           **(2) A PERSON MAY BE FOUND GUILTY OF VIOLATING THIS SECTION**  
9 **REGARDLESS OF WHETHER THE PERSON KNEW OR HAD REASON TO KNOW THAT THE**  
10 **PERSON WAS OPERATING OR CAUSING THE OPERATION OF AN UNMANNED AIRCRAFT**  
11 **ABOVE A CORRECTIONAL FACILITY.**

12           **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**  
13 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A**  
14 **FINE NOT EXCEEDING \$1,000 OR BOTH.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2023.