

SENATE BILL 273

E5, E1

(PRE-FILED)

4r0119
CF 4r0120

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

Requested: September 12, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2024

CHAPTER _____

1 AN ACT concerning

2 **State and Local Correctional Facilities – Operation of Unmanned Aircraft**
3 **– Image Recording and Delivery of Contraband**

4 FOR the purpose of prohibiting a person from intentionally ~~using~~ operating an unmanned
5 aircraft over a correctional facility to record images of ~~a State or local correctional~~
6 the facility without the authorization of the managing official of the correctional
7 facility or the Secretary of Public Safety and Correctional Services; prohibiting a
8 person from using an unmanned aircraft to deliver contraband to a person detained
9 or confined in a place of confinement; and generally relating to unmanned aircraft
10 and correctional facilities.

11 BY adding to
12 Article – Correctional Services
13 Section 8–804
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2023 Supplement)

16 BY adding to
17 Article – Criminal Law
18 Section 9–417.1
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Correctional Services**

4 **8–804.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

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

9 (3) “UNMANNED AIRCRAFT” MEANS AN AIRCRAFT THAT IS OPERATED
10 WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM WITHIN OR ON
11 THE AIRCRAFT.

12 (B) A PERSON MAY NOT INTENTIONALLY ~~PHOTOGRAPH OR OTHERWISE~~
13 ~~RECORD IMAGES OF A CORRECTIONAL FACILITY THROUGH THE USE OF AN~~
14 ~~UNMANNED AIRCRAFT~~ OPERATE AN UNMANNED AIRCRAFT OVER A CORRECTIONAL
15 FACILITY FOR THE PURPOSE OF PHOTOGRAPHING OR RECORDING IMAGES OF THE
16 CORRECTIONAL FACILITY THROUGH THE USE OF THE UNMANNED AIRCRAFT
17 WITHOUT THE AUTHORIZATION OF THE MANAGING OFFICIAL OF THE
18 CORRECTIONAL FACILITY OR THE SECRETARY.

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

22 (D) A CORRECTIONAL FACILITY SHALL POST SIGNAGE WARNING OF THE
23 PROVISIONS OF THIS SECTION ON THE EXTERIOR OF THE PROPERTY IN AN AREA
24 VISIBLE TO THE GENERAL PUBLIC.

25 **Article – Criminal Law**

26 **9–417.1.**

27 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
28 INDICATED.

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

1 **(3) “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) A PERSON MAY NOT DELIVER ANY CONTRABAND TO A PERSON**
5 **DETAINED OR CONFINED IN A PLACE OF CONFINEMENT USING AN UNMANNED**
6 **AIRCRAFT.**

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

10 **(D) A CORRECTIONAL FACILITY SHALL POST SIGNAGE WARNING OF THE**
11 **PROVISIONS OF THIS SECTION ON THE EXTERIOR OF THE PROPERTY IN AN AREA**
12 **VISIBLE TO THE GENERAL PUBLIC.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.