



## HOUSE COMMITTEE ON APPROPRIATIONS

# FISCAL NOTE

HOUSE BILL NO. 1346

PRINTERS NO. 2167

PRIME SPONSOR: Pyle

### COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
General Fund	See Fiscal Impact	See Fiscal Impact

### SUMMARY:

House Bill 1346, Printer's Number 2167 amends Title 18 (Crimes and Offenses) and Title 53 (Municipalities Generally) providing for the offense of unlawful use of an unmanned aircraft and providing for preemption of local ordinances or regulations.

### ANALYSIS:

HB 1346 amends the Crimes Code to provide for a new Section 3505 (Unlawful use of unmanned aircraft). Committing the offense of unlawful unmanned aircraft occurs when a person intentionally or knowingly uses an unmanned aircraft to conduct surveillance of another person in a private place, operate the unmanned aircraft in a manner which places another person in reasonable fear of bodily injury, or uses the unmanned aircraft to deliver, provide, transmit or furnish contraband to an inmate.

### Grading

A violation of this offense would result in a summary offense, except for violations involving the use of an unmanned aircraft relating to delivery, transmittal or furnishing of contraband to inmates, which shall be graded as a felony of the second degree.

### Exceptions

The following individuals who are engaged in the performance of their official duties are exempted:

- Law enforcement officer;
- Personnel of the Department of Corrections, local correctional facility, prison or jail security;
- Firefighters, or special fire police;
- Emergency medical responders;
- An employee or agent of an electric, water, natural gas or other utility;
- An employee or agent of a government agency; and
- A person engaged in aerial data collection if the unmanned aircraft is authorized by an exemption that is issued by the Federal Aviation Administration (FAA) or is used in compliance with regulations by the FAA.

**Preemption**

HB 1346 amends Title 53 providing that the provisions of the new Section 3505 of Title 18 shall preempt and supersede any ordinance, resolution, rule or other enactment of a municipality regulating ownership or operation of an unmanned aircraft.

This legislation will take effect in 90 days.

**FISCAL IMPACT:**

This legislation could have an unknown fiscal impact on Commonwealth and local finances due to the potential increase in prison sentences for committing an offense of unlawful use of an unmanned aircraft. However, an estimate of how many individuals may be arrested, convicted, and sentenced for the new offense is indeterminable.

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House Appropriations Committee (R)

**DATE:** July 6, 2017

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*