

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 194

AN ACT

To amend chapters 217 and 632, RSMo, by adding thereto two new sections relating to the unlawful use of unmanned aircraft, with penalty provisions.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Chapters 217 and 632, RSMo, are amended by  
2 adding thereto two new sections, to be known as sections 217.850  
3 and 632.460, to read as follows:

4           217.850. 1. A person commits the offense of unlawful use  
5 of unmanned aircraft near a correctional center if he or she  
6 intentionally:

7           (1) Operates an unmanned aircraft within a vertical  
8 distance of three hundred feet or a horizontal distance of five  
9 hundred feet from a correctional center; or

10           (2) Uses an unmanned aircraft to deliver to a person in the  
11 custody of a correctional center any object described in  
12 subdivisions (1) or (3) of subsection 5 of this section.

13           2. For the purposes of subsection 1 of this section, a  
14 vertical distance extends from ground level, and horizontal  
15 distance extends outward from the furthest exterior building  
16 walls, perimeter fences, and permanent fixed perimeter, or from  
17 another boundary clearly marked by posted notices.

1           3. For purposes of this section, the term "correctional  
2 center" shall include:

3           (1) Any correctional center as defined in section 217.010;

4           (2) Any private jail as defined in section 221.095;

5           (3) Any county or municipal jail.

6           4. The provisions of this section shall not prohibit the  
7 operation of an unmanned aircraft by:

8           (1) An employee of the correctional center at the direction  
9 of the chief administrative officer of the facility;

10          (2) A person who has written consent from the chief  
11 administrative officer of the facility;

12          (3) An employee of a law enforcement agency, fire  
13 department, or emergency medical service in the exercise of  
14 official duties;

15          (4) A government official or employee in the exercise of  
16 official duties;

17          (5) A public utility or a rural electric cooperative if:

18           (a) The unmanned aircraft is used for the purpose of  
19 inspecting, repairing, or maintaining utility transmission,  
20 distribution lines, other utility equipment, or infrastructure;

21           (b) The utility notifies the correctional center at least  
22 twenty-four hours before flying the unmanned aircraft, except  
23 during an emergency; and

24           (c) The person operating the unmanned aircraft does not  
25 physically enter the prohibited space without an escort provided  
26 by the correctional center;

27          (6) An employee of a railroad in the exercise of official  
28 duties on any land owned or operated by a railroad corporation

1 regulated by the Federal Railroad Administration.

2 5. Each correctional center shall post a sign warning of  
3 the provisions of this section. The sign shall be at least  
4 eleven inches by fourteen inches and posted in a conspicuous  
5 place.

6 6. The offense of unlawful use of unmanned aircraft near a  
7 correctional center is a class A misdemeanor unless the person  
8 uses an unmanned aircraft for the purpose of:

9 (1) Delivering a gun, knife, weapon, or other article that  
10 may be used in such manner to endanger the life of an offender or  
11 correctional center employee, in which case it is a class B  
12 felony;

13 (2) Facilitating an escape from confinement under section  
14 575.210, in which case it is a class C felony; or

15 (3) Delivering a controlled substance, as that term is  
16 defined by chapter 195, in which case it is a class D felony.

17 632.460. 1. A person commits the offense of unlawful use  
18 of an unmanned aircraft near a mental health hospital if he or  
19 she intentionally:

20 (1) Operates an unmanned aircraft within a vertical  
21 distance of three hundred feet, extending from the ground level,  
22 of a mental health hospital, or a horizontal distance to the  
23 mental health hospital's property line; or

24 (2) Allows an unmanned aircraft to make contact with a  
25 mental health hospital, including any person or object on the  
26 premises of or within the mental health hospital.

27 2. For the purposes of this section, "mental health  
28 hospital" shall mean a facility operated by the department of

1 mental health to provide inpatient evaluation, treatment, or care  
2 to persons suffering from a mental disorder, as defined under  
3 section 630.005, mental illness, as defined under section  
4 630.005, or mental abnormality, as defined under section 632.480.

5 3. The provisions of this section shall not prohibit the  
6 operation of an unmanned aircraft by:

7 (1) An employee of the mental health hospital at the  
8 direction of the chief operating officer of the mental health  
9 hospital;

10 (2) A person who has written consent from the chief  
11 operating officer of the mental health hospital;

12 (3) An employee of a law enforcement agency, fire  
13 department, or emergency medical service in the exercise of  
14 official duties;

15 (4) A government official or employee in the exercise of  
16 official duties; or

17 (5) A public utility if:

18 (a) The unmanned aircraft is used for the purpose of  
19 inspecting, repairing, or maintaining utility transmission or  
20 distribution lines, other utility equipment, or infrastructure;

21 (b) The utility notifies the mental health hospital at  
22 least twenty-four hours before flying the unmanned aircraft,  
23 except during an emergency; and

24 (c) The person operating the unmanned aircraft does not  
25 physically enter the prohibited space without an escort provided  
26 by the mental health hospital.

27 4. The offense of unlawful use of an unmanned aircraft near  
28 a mental health hospital is a class A misdemeanor unless the

1 person uses an unmanned aircraft for the purposes of:

2 (1) Delivering a gun, knife, weapon, or other article that  
3 may be used in such a manner to endanger the life of a patient or  
4 mental health hospital employee, in which case the offense is a  
5 class B felony;

6 (2) Facilitating an escape from commitment or detention  
7 under section 575.195, in which case the offense is a class D  
8 felony; or

9 (3) Delivering a controlled substance, as defined under  
10 chapter 195, in which case the offense is a class D felony.

11 5. Each mental health hospital shall post a sign warning of  
12 the provisions of this section. The sign shall be at least  
13 eleven inches by fourteen inches and posted in a conspicuous  
14 place.