Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

Part I: Measure Information

Bill Request #: 205
Bill #: HB 120 HCS
Bill Subject/Title: AN ACT relating to the use of drones for an unlawful purpose.
Sponsor: Representative Linda L. Belcher
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment
Office(s) Impacted: Law Enforcement, Local Courts, Jails
Requirement: Mandatory Optional
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Purpose and Mechanics

HB 120, as introduced, creates a new section of Chapter 525 regarding the unlawful use of drones. HB 120 defines drone as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. HB 120 defines unlawful use of a drone as

- harassing conduct punishable as a violation punishable by fine; and
- voyeurism, video voyeurism, and facilitating forcible entry into premises or theft by physical taking, all punishable as Class B misdemeanors.

HB 120 HCS retains the major provisions of the measure as introduced and makes the following changes in the bill:

HB 120 HCS amends the definition of "drone" by removing language that a drone is an aircraft operated without the possibility of direct human intervention from within or on the aircraft and expands the definition to include any unmanned aircraft for which Federal Aviation Administration registration is required and that is required to be labeled

with an N-number or other unique identifying number issued by the Federal Aviation Administration.

HB 120 HCS also prohibits the use of a drone in the commission of an act of burglary as defined in KRS Chapter 511. HB 120 HCS expands the unlawful uses of a drone to include theft by unlawful taking or disposition as defined in KRS Chapter 514. HB 120 HCS makes all of the enumerated drone offenses punishable as Class A misdemeanors.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of HB 120 HCS is expected to be minor, but as technology improves and the costs of owning a drone becomes more affordable, a rise in this activity may occur.

A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed in one of Kentucky's 78 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

Data Source(s): LRC Staff, Department of Corrections

Preparer: Wendell F. Butler Reviewer: JWN	Date: 2/18/16
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