



State of Wisconsin
2015 – 2016 LEGISLATURE

LRBs0269/1
EVM;jld&amn

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 498**

January 29, 2016 – Offered by Senator GUDEx.

1 **AN ACT to amend** 114.04; and **to create** 114.045 of the statutes; **relating to:** the
2 operation of drones over correctional institutions and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 114.04 of the statutes is amended to read:

4 **114.04 Flying and landing, limitations.** Subject to s. 175.55, and except as
5 provided in s. 114.045 and 942.10, flight of or in aircraft or spacecraft over the
6 lands and waters of this state is lawful, unless at such a low altitude as to interfere
7 with the then existing use to which the land or water, or the space over the land or
8 water, is put by the owner, or unless so conducted as to be imminently dangerous or
9 damaging to persons or property lawfully on the land or water beneath. The landing
10 of an aircraft or spacecraft on the lands or waters of another, without the person's
11 consent, is unlawful, except in the case of a forced landing. For damages caused by

1 a forced landing, however, the owner or lessee of the aircraft or spacecraft or the
2 aeronaut or astronaut shall be liable, as provided in s. 114.05.

3 **SECTION 2.** 114.045 of the statutes is created to read:

4 **114.045 Limitation on the operation of drones. (1)** No person may operate
5 a drone, as defined in s. 114.105 (1) (a), over a correctional institution, as defined in
6 s. 801.02 (7) (a) 1., including any grounds of the institution.

7 **(2)** Any person who violates sub. (1) may be required to forfeit not more than
8 \$5,000.

9 **(3)** A law enforcement officer investigating an alleged violation of sub. (1) shall
10 seize and transfer to the department of corrections or authority in charge of the
11 correctional institution any photograph, motion picture, other visual representation,
12 or data that represents a visual image that was created or recorded by a drone during
13 an alleged violation of sub. (1).

14 **(END)**