

2017 Assembly Bill 855 (LRB -4162)

An Act to repeal 942.10; to renumber and amend 114.045 (1) and 114.105; to amend 114.04 and 114.045 (3); and to create 114.045 (1) (b), 114.045 (1) (c), 114.105 (1), 114.105 (3) and 114.105 (4) (b) of the statutes; relating to: the operation and regulation of unmanned aircraft and providing a penalty. (FE)

2018

01-19.	A.	Introduced by Representatives Schraa, Kulp, Tittl and Tusler ; cosponsored by Senator Feyen .	654
01-19.	A.	Read first time and referred to Committee on Criminal Justice and Public Safety	654
01-25.	A.	Fiscal estimate received	
01-25.	A.	Public hearing held	
02-05.	A.	Assembly Substitute Amendment 1 offered by Representative Schraa (LRB s0279)	707
02-06.	A.	Assembly Amendment 1 to Assembly Substitute Amendment 1 offered by Representative Goyke (LRB a1995)	709
02-06.	A.	Assembly Amendment 2 to Assembly Substitute Amendment 1 offered by Representative Goyke (LRB a1996)	709
02-13.	A.	Assembly Substitute Amendment 2 offered by Representative Schraa (LRB s0321)	729
02-14.	A.	Executive action taken	
02-15.	A.	Report Assembly Substitute Amendment 2 adoption recommended by Committee on Criminal Justice and Public Safety, Ayes 7, Noes 4	752
02-15.	A.	Report passage as amended recommended by Committee on Criminal Justice and Public Safety, Ayes 7, Noes 4	752
02-15.	A.	Referred to committee on Rules	752
02-15.	A.	Made a special order of business at 1:56 PM on 2-20-2018 pursuant to Assembly Resolution 26	768
02-20.	A.	Read a second time	810
02-20.	A.	Assembly Substitute Amendment 2 adopted	810
02-20.	A.	Ordered to a third reading	810
02-20.	A.	Rules suspended	810
02-20.	A.	Read a third time and passed	810
02-20.	A.	Ordered immediately messaged	810
02-21.	S.	Received from Assembly	784
03-12.	S.	Read first time and referred to committee on Senate Organization	822
03-12.	S.	Available for scheduling	
03-15.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2	833
03-15.	S.	Placed on calendar 3-20-2018 pursuant to Senate Rule 18(1)	834
03-20.	S.	Read a second time	861
03-20.	S.	Ordered to a third reading	861
03-20.	S.	Rules suspended	861
03-20.	S.	Read a third time and concurred in	861
03-20.	S.	Ordered immediately messaged	863
03-21.	A.	Received from Senate concurred in	891

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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17 50321, 1

Amendments: None or Listed below.

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

3/27/18

Costa

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0321/1
EVM:ahe&emw

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY BILL 855**

February 13, 2018 - Offered by Representative SCHRAA.

1 **AN ACT** *to renumber and amend* 114.105; *to amend* 114.04 and 175.55 (1) (a);
2 and *to create* 114.105 (1), 114.105 (3) and 114.105 (4) (b) of the statutes;
3 **relating to:** the operation and regulation of unmanned aircraft and providing
4 a penalty.

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

5 **SECTION 1.** 114.04 of the statutes is amended to read:
6 **114.04 Flying and landing, limitations.** Subject to s. ss. 114.105 (3) and
7 175.55, and except as provided in ss. 114.045 and 942.10, flight of or in aircraft or
8 spacecraft over the lands and waters of this state is lawful, unless at such a low
9 altitude as to intentionally interfere with the then existing use to which the land or
10 water, or the space over the land or water, is put by the owner, or unless so conducted
11 as to be imminently dangerous or damaging to persons or property lawfully on the

1 land or water beneath. The landing of an aircraft or spacecraft on the lands or waters
2 of another, without the person's consent, is unlawful, except in the case of a forced
3 landing. For damages caused by a forced landing, however, the owner or lessee of the
4 aircraft or spacecraft or the aeronaut or astronaut shall be liable, as provided in s.
5 114.05.

6 **SECTION 2.** 114.105 of the statutes is renumbered 114.105 (2) and amended to
7 read:

8 114.105 (2) ~~Any county, town, city or village~~ A political subdivision may adopt
9 any ordinance in strict conformity with the provisions of this chapter and impose the
10 same penalty for violation of any of its provisions except that ~~such an ordinance shall~~
11 under this subsection may not provide for the suspension or revocation of pilot or
12 aircraft licenses or certificates ~~and shall not provide for imprisonment except for~~
13 ~~failure to pay any fine which may be imposed.~~

14 ~~(4) (a) No local authority shall~~ political subdivision may enact any ordinance
15 governing aircraft or aeronautics or spacecraft or astronautics contrary to or
16 inconsistent with the provisions of this chapter or federal law. ~~Every court in which~~
17 ~~a violation of such ordinance is prosecuted shall make a written report of any~~
18 ~~conviction (including bail or appearance money forfeiture) to the federal aviation~~
19 ~~administration.~~

20 **SECTION 3.** 114.105 (1) of the statutes is created to read:

21 114.105 (1) In this section:

22 (a) "Drone" means an aircraft operated without the possibility of direct human
23 intervention from within or on the aircraft.

24 (b) "Political subdivision" means a city, village, town, or county.

25 **SECTION 4.** 114.105 (3) of the statutes is created to read:

1 114.105 (3) A political subdivision may enact an ordinance limiting the use of
2 drones by the political subdivision.

3 **SECTION 5.** 114.105 (4) (b) of the statutes is created to read:

4 114.105 (4) (b) Except as provided in sub. (3), no political subdivision may
5 regulate the ownership or operation of a drone.

6 **SECTION 6.** 175.55 (1) (a) of the statutes is amended to read:

7 175.55 (1) (a) ~~“Drone” means a powered, aerial vehicle that carries or is~~
8 ~~equipped with a device that, in analog, digital, or other form, gathers, records, or~~
9 ~~transmits a sound or image, that does not carry a human operator, uses aerodynamic~~
10 ~~forces to provide vehicle lift, and can fly autonomously or be piloted remotely. A drone~~
11 ~~may be expendable or recoverable~~ has the meaning given in s. 114.105 (1) (a).

12

(END)