

SENATE BILL 273

E5, E1

(PRE-FILED)

4lr0119

CF 4lr0120

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Requested: September 12, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **State and Local Correctional Facilities – Operation of Unmanned Aircraft**
3 **– Image Recording and Delivery of Contraband**

4 FOR the purpose of prohibiting a person from intentionally using an unmanned aircraft to
5 record images of a State or local correctional facility without the authorization of the
6 managing official of the correctional facility or the Secretary of Public Safety and
7 Correctional Services; prohibiting a person from using an unmanned aircraft to
8 deliver contraband to a person detained or confined in a place of confinement; and
9 generally relating to unmanned aircraft and correctional facilities.

10 BY adding to

11 Article – Correctional Services

12 Section 8–804

13 Annotated Code of Maryland

14 (2017 Replacement Volume and 2023 Supplement)

15 BY adding to

16 Article – Criminal Law

17 Section 9–417.1

18 Annotated Code of Maryland

19 (2021 Replacement Volume and 2023 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

Article – Correctional Services

23 **8–804.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
2 **INDICATED.**

3 **(2) “AIRCRAFT” MEANS A DEVICE THAT IS USED OR INTENDED TO BE**
4 **USED FOR FLIGHT IN THE AIR.**

5 **(3) “UNMANNED AIRCRAFT” MEANS AN AIRCRAFT THAT IS OPERATED**
6 **WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM WITHIN OR ON**
7 **THE AIRCRAFT.**

8 **(B) A PERSON MAY NOT INTENTIONALLY PHOTOGRAPH OR OTHERWISE**
9 **RECORD IMAGES OF A CORRECTIONAL FACILITY THROUGH THE USE OF AN**
10 **UNMANNED AIRCRAFT WITHOUT THE AUTHORIZATION OF THE MANAGING OFFICIAL**
11 **OF THE CORRECTIONAL FACILITY OR THE SECRETARY.**

12 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
13 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A**
14 **FINE NOT EXCEEDING \$1,000 OR BOTH.**

15 **(D) A CORRECTIONAL FACILITY SHALL POST SIGNAGE WARNING OF THE**
16 **PROVISIONS OF THIS SECTION ON THE EXTERIOR OF THE PROPERTY IN AN AREA**
17 **VISIBLE TO THE GENERAL PUBLIC.**

18 **Article – Criminal Law**

19 **9–417.1.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) “AIRCRAFT” MEANS A DEVICE THAT IS USED OR INTENDED TO BE**
23 **USED FOR FLIGHT IN THE AIR.**

24 **(3) “UNMANNED AIRCRAFT” MEANS AN AIRCRAFT THAT IS OPERATED**
25 **WITHOUT THE POSSIBILITY OF DIRECT HUMAN INTERVENTION FROM WITHIN OR ON**
26 **THE AIRCRAFT.**

27 **(B) A PERSON MAY NOT DELIVER ANY CONTRABAND TO A PERSON**
28 **DETAINED OR CONFINED IN A PLACE OF CONFINEMENT USING AN UNMANNED**
29 **AIRCRAFT.**

30 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
31 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A**

1 FINE NOT EXCEEDING \$1,000 OR BOTH.

2 (D) A CORRECTIONAL FACILITY SHALL POST SIGNAGE WARNING OF THE
3 PROVISIONS OF THIS SECTION ON THE EXTERIOR OF THE PROPERTY IN AN AREA
4 VISIBLE TO THE GENERAL PUBLIC.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2024.