



General Assembly

Amendment

February Session, 2016

LCO No. 5248



Offered by:

REP. DARGAN, 115th Dist.

REP. CARPINO, 32nd Dist.

REP. ZUPKUS, 89th Dist.

REP. TONG, 147th Dist.

REP. MUSHINSKY, 85th Dist.

REP. REBIMBAS, 70th Dist.

To: Subst. House Bill No. 5274

File No. 337

Cal. No. 231

"AN ACT CONCERNING THE USE OF DRONES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective August 1, 2016*) (a) For the purposes of
4 this section:

5 (1) "Law enforcement officer" means any officer, employee or agent
6 of the Division of State Police within the Department of Emergency
7 Services and Public Protection, a special police force, established
8 pursuant to section 10a-156b of the general statutes, or a municipal
9 police department, a special policeman appointed under section 29-18
10 of the general statutes or a member of the Office of State Capitol Police;
11 and

12 (2) "Unmanned aerial vehicle" means any contrivance used or
13 designed for navigation of or flight in air that is power-driven and

14 operated without the possibility of direct human intervention from
15 within or on the contrivance.

16 (b) Except as otherwise provided by law, no person shall operate an
17 unmanned aerial vehicle that is equipped with tear gas or any like or
18 similar deleterious agent, a deadly weapon, as defined in section 53a-3
19 of the general statutes, or an explosive or incendiary device, as defined
20 in section 53-206b of the general statutes.

21 (c) The provisions of subsection (b) of this section shall not apply to
22 a law enforcement officer who operates an unmanned aerial vehicle
23 that is equipped with explosive detection, detonation or disposal
24 equipment, provided such officer is authorized by the federal or state
25 government to detect, detonate and dispose of explosives and is
26 engaged in such detection, detonation or disposal.

27 (d) Any person who violates this section shall be guilty of a class C
28 felony.

29 Sec. 2. Subdivision (8) of subsection (a) of section 54-280 of the
30 general statutes is repealed and the following is substituted in lieu
31 thereof (*Effective August 1, 2016*):

32 (8) "Offense committed with a deadly weapon" or "offense" means:
33 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
34 section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33,
35 section 29-34, subsection (a) of section 29-35, section 29-36, 29-36k, 29-
36 37a or 29-37e, subsection (c) of section 29-37g, section 29-37j, subsection
37 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, 53-202j, 53-
38 202k, 53-202l, 53-202aa or 53-206b, subsection (b) of section 53a-8,
39 section 53a-55a, 53a-56a, 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a,
40 53a-102a, 53a-103a, 53a-211, 53a-212, 53a-216, 53a-217, 53a-217a, 53a-
41 217b₂, [or] 53a-217c or section 1 of this act, or a second or subsequent
42 violation of section 53-202g; or (B) a violation of any section of the
43 general statutes which constitutes a felony, as defined in section 53a-
44 25, provided the court makes a finding that, at the time of the offense,
45 the offender used a deadly weapon, or was armed with and threatened

46 the use of or displayed or represented by words or conduct that the
47 offender possessed a deadly weapon;

48 Sec. 3. Subsection (a) of section 53a-189a of the 2016 supplement to
49 the general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective October 1, 2016*):

51 (a) A person is guilty of voyeurism when, (1) with malice, such
52 person knowingly photographs, films, videotapes or otherwise records
53 the image of another person (A) without the knowledge and consent of
54 such other person, (B) while such other person is not in plain view, and
55 (C) under circumstances where such other person has a reasonable
56 expectation of privacy, (2) with intent to arouse or satisfy the sexual
57 desire of such person or any other person, such person knowingly
58 photographs, films, videotapes or otherwise records the image of
59 another person (A) without the knowledge and consent of such other
60 person, (B) while such other person is not in plain view, and (C) under
61 circumstances where such other person has a reasonable expectation of
62 privacy, (3) with the intent to arouse or satisfy the sexual desire of such
63 person, commits simple trespass, as provided in section 53a-110a, and
64 observes, in other than a casual or cursory manner, another person (A)
65 without the knowledge or consent of such other person, (B) while such
66 other person is inside a dwelling, as defined in section 53a-100, and not
67 in plain view, and (C) under circumstances where such other person
68 has a reasonable expectation of privacy, or (4) with intent to arouse or
69 satisfy the sexual desire of such person or any other person, such
70 person knowingly photographs, films, videotapes or otherwise records
71 the genitals, pubic area or buttocks of another person or the
72 undergarments or stockings that clothe the genitals, pubic area or
73 buttocks of another person (A) without the knowledge and consent of
74 such other person, and (B) while such genitals, pubic area, buttocks,
75 undergarments or stockings are not in plain view. For the purposes of
76 this subsection, "not in plain view" includes a view not otherwise
77 obtainable that is made possible through the use of an unmanned
78 aerial vehicle, and "unmanned aerial vehicle" has the same meaning as
79 provided in section 1 of this act.

80 Sec. 4. (NEW) (*Effective October 1, 2016*) (a) For the purposes of this
 81 section, "unmanned aerial vehicle" means any contrivance used or
 82 designed for navigation of or flight in air that is power-driven and
 83 operated without the possibility of direct human intervention from
 84 within or on the contrivance.

85 (b) Except as otherwise provided by law, no person shall knowingly
 86 cause an unmanned aerial vehicle to land upon or take off from the
 87 grounds of a correctional institution.

88 (c) Any person who violates this section shall be guilty of a class E
 89 felony."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>August 1, 2016</i>	New section
Sec. 2	<i>August 1, 2016</i>	54-280(a)(8)
Sec. 3	<i>October 1, 2016</i>	53a-189a(a)
Sec. 4	<i>October 1, 2016</i>	New section