

**Proposed Substitute
Bill No. 148**

LCO No. 2851

**AN ACT CONCERNING THE WEAPONIZATION OF DRONES BASED
ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE
STUDY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

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

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

9 (2) "Unmanned aerial vehicle" means any contrivance used or
10 designed for navigation of or flight in air that is power-driven and
11 operated without the possibility of direct human intervention from
12 within or on the contrivance.

13 (b) Except as otherwise provided by law, no person, other than a
14 law enforcement officer, shall operate or use any computer software or
15 other technology, including, but not limited to, an unmanned aerial
16 vehicle, that allows a person, when not physically present, to release

17 tear gas or any like or similar deleterious agent or to remotely control a
18 deadly weapon, as defined in section 53a-3 of the general statutes, or
19 an explosive or incendiary device, as defined in section 53-206b of the
20 general statutes.

21 (c) A law enforcement officer shall not operate an unmanned aerial
22 vehicle that is equipped with tear gas or any like or similar deleterious
23 agent or a deadly weapon, as defined in section 53a-3 of the general
24 statutes, including, but not limited to, any explosive or incendiary
25 device, as defined in section 53-206b of the general statutes. The
26 provisions of this subsection shall not apply to a law enforcement
27 officer who operates an unmanned aerial vehicle that is equipped with
28 explosive detection, detonation or disposal equipment provided such
29 officer is authorized by the federal or state government to detect,
30 detonate and dispose of explosives and is engaged in such detection,
31 detonation or disposal.

32 (d) Any person who violates subsection (b) of this section shall be
33 guilty of a class C felony.

34 Sec. 2. Subdivision (8) of section 54-280 of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective*
36 *August 1, 2016*):

37 (8) "Offense committed with a deadly weapon" or "offense" means:
38 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
39 section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33,
40 section 29-34, subsection (a) of section 29-35, section 29-36, 29-36k, 29-
41 37a or 29-37e, subsection (c) of section 29-37g, section 29-37j, subsection
42 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, 53-202j, 53-
43 202k, 53-202l, 53-202aa or 53-206b, subsection (b) of section 53a-8,
44 section 53a-55a, 53a-56a, 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a,
45 53a-102a, 53a-103a, 53a-211, 53a-212, 53a-216, 53a-217, 53a-217a, 53a-
46 217b or 53a-217c or section 1 of this act, or a second or subsequent
47 violation of section 53-202g; or (B) a violation of any section of the
48 general statutes which constitutes a felony, as defined in section 53a-
49 25, provided the court makes a finding that, at the time of the offense,

50 the offender used a deadly weapon, or was armed with and threatened
51 the use of or displayed or represented by words or conduct that the
52 offender possessed a deadly weapon;

53 Sec. 3. (NEW) (*Effective from passage*) (a) For the purposes of this
54 section, (1) "unmanned aerial vehicle" means any contrivance used or
55 designed for navigation of or flight in air that is power-driven and
56 operated without the possibility of direct human intervention from
57 within or on the contrivance, and (2) "municipality" has the same
58 meaning as provided in subsection (e) of section 7-101a of the general
59 statutes.

60 (b) Except as otherwise provided by any federal law or state statute,
61 no municipality shall enact any ordinance that regulates, restricts,
62 prohibits, licenses or affects the ownership, possession, operation,
63 purchase or sale of an unmanned aerial vehicle.

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(8)
Sec. 3	<i>from passage</i>	New section