

Introduced by Senator Gaines

February 19, 2015

An act to add Section 626.12 to the Penal Code, relating to unmanned aircraft systems.

LEGISLATIVE COUNSEL'S DIGEST

SB 271, as introduced, Gaines. Unmanned aircraft systems.

Existing law makes it a crime to possess a firearm within 1,000 feet of a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive. Existing law also makes it a crime to possess specified knives or blades on the grounds of a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive.

This bill would make it an infraction to operate an unmanned aircraft system on or above the grounds of a public school providing instruction in kindergarten or grades 1 to 12, inclusive. This bill would provide for a fine of no more than \$150 for the first violation of its provisions, and a fine of no more than \$500 for each subsequent violation.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 626.12 is added to the Penal Code, to
2 read:

1 626.12. (a) Unless authorized by federal law, it shall be an
2 infraction to operate an unmanned aircraft system on or above the
3 grounds of a public school providing instruction in kindergarten
4 or grades 1 to 12, inclusive, and shall be punished as follows:

5 (1) Upon a first conviction under this section, a fine of no more
6 than one hundred fifty dollars (\$150).

7 (2) Upon a second and any subsequent conviction under this
8 section, a fine of no more than five hundred dollars (\$500).

9 (b) For the purposes of this section, “unmanned aircraft system”
10 means an unmanned aircraft and associated elements, including
11 communication links and the components that control the
12 unmanned aircraft, that are required for the pilot in command to
13 operate safely and efficiently in the national airspace system.

14 (c) This section shall not apply to the operation of an unmanned
15 aircraft system by law enforcement during a public safety
16 emergency.

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.