



Rep. Michael J. Zalewski

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09900HB3935ham001

LRB099 08781 RLC 31919 a

1 AMENDMENT TO HOUSE BILL 3935

2 AMENDMENT NO. _____. Amend House Bill 3935 on page 1, line
3 5, by inserting "and by adding Section 21-8.5" after "21-8";
4 and

5 on page 2, by replacing lines 18 and 19 with the following:

6 "(3) a nuclear power or other electric generation
7 facility; or

8 (4) a fertilizer manufacturing facility ~~has the~~
9 meaning"; and

10 on page 2, by inserting immediately below line 24 the
11 following:

12 "(720 ILCS 5/21-8.5 new)
13 Sec. 21-8.5. Criminal trespass by use of an unmanned
14 aircraft system.

15 (a) As used in this Section:

1 "Targeted facility" has the meaning ascribed to it in
2 subsection (c) of Section 21-8 of this Code.

3 "Unmanned aircraft system" means an unmanned, powered
4 aircraft that does not carry a human operator, can be
5 autonomous or remotely piloted or operated, and can be
6 expendable or recoverable. "Unmanned aircraft system" does
7 not include any of the following:

8 (1) a satellite orbiting the earth; or

9 (2) an unmanned aircraft system used by any unit of
10 government or a person who is acting under contract
11 with any unit of government to conduct surveillance of
12 specific activities.

13 (b) A person commits criminal trespass by use of an
14 unmanned aircraft system when he or she intentionally uses an
15 unmanned aircraft system to conduct surveillance of, gather
16 evidence, or collect information about, or photographically or
17 electronically record a targeted facility without the prior
18 written consent of the owner of the targeted facility.

19 (c) Nothing in this Section prohibits a person from using
20 an unmanned aircraft system to conduct surveillance of, gather
21 evidence, or collect information about, or photographically or
22 electronically record his or her own property that is either of
23 the following:

24 (1) located on his or her own immovable property; or

25 (2) located on immovable property owned by another
26 person under a valid lease, servitude, right-of-way, right

1 of use, permit, license, or other right.

2 (d) Third persons retained by the owner of the property
3 described in subsection (c) shall not be prohibited under this
4 Section from using an unmanned aircraft system to conduct
5 activities described in subsection (c) of this Section.

6 (e) This Section does not apply to unmanned aircraft
7 systems used for motion picture, television, or similar
8 production if the filming is authorized by the property owner.

9 (f) This Section applies unless preempted by applicable
10 federal law or by regulations adopted by the Federal Aviation
11 Administration.

12 (g) Sentence. Criminal trespass by use of an unmanned
13 aircraft system is a Class 4 felony."