

State of Wisconsin



2015 Assembly Bill 670

Date of enactment: **March 30, 2016**

Date of publication*: **March 31, 2016**

2015 WISCONSIN ACT 318

AN ACT to amend 114.04; and to create 114.045 of the statutes; relating to: the operation of drones over correctional institutions and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 114.04 of the statutes is amended to read:
114.04 Flying and landing, limitations. Subject to s. 175.55, and except as provided in s. ss. 114.045 and 942.10, flight of or in aircraft or spacecraft over the lands and waters of this state is lawful, unless at such a low altitude as to interfere with the then existing use to which the land or water, or the space over the land or water, is put by the owner, or unless so conducted as to be imminently dangerous or damaging to persons or property lawfully on the land or water beneath. The landing of an aircraft or spacecraft on the lands or waters of another, without the person's consent, is unlawful, except in the case of a forced landing. For damages caused by a forced landing, however, the owner or lessee of the aircraft or spacecraft

or the aeronaut or astronaut shall be liable, as provided in s. 114.05.

SECTION 2. 114.045 of the statutes is created to read:
114.045 Limitation on the operation of drones. (1) No person may operate a drone, as defined in s. 114.105 (1) (a), over a correctional institution, as defined in s. 801.02 (7) (a) 1., including any grounds of the institution.
(2) Any person who violates sub. (1) may be required to forfeit not more than \$5,000.

(3) A law enforcement officer investigating an alleged violation of sub. (1) shall seize and transfer to the department of corrections or authority in charge of the correctional institution any photograph, motion picture, other visual representation, or data that represents a visual image that was created or recorded by a drone during an alleged violation of sub. (1).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."