COMMITTEE REPORT

May 3, 2018

**S. 109**

Introduced by Senator McElveen

S. Printed 5/3/18--H.

Read the first time May 9, 2017.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 109) to amend Article 7, Chapter 11, Title 16 of the 1976 Code, relating to trespasses and the unlawful use of the property of others, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16‑11‑605. (A) Except as provided in subsection (B), a person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of four hundred feet from a state or federal military installation with restricted public access without written consent from the commander of the specific military installation or his designee. If specific approvals have been given, all flights must be conducted within the requirements set forth by the Federal Aviation Administration for the operations of unmanned aerial vehicles.

(B) This section does not apply to any person who: registers with the Federal Aviation Administration as an operator of a commercial unmanned aerial vehicle; operates the vehicle for the purpose of monitoring, operating, maintaining, or enhancing electric, communications, water conveyance, or transportation infrastructure or determining if repairs to such infrastructure are necessary; and notifies the commander of the specific military installation prior to operating the vehicle, provided that the notification must include the registration number the Federal Aviation Administration has issued for the vehicle.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A STATE OR FEDERAL MILITARY INSTALLATION AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 7, Chapter 11, Title 16 of the 1976 Code is amended by adding:

“Section 16-11-605. (A) A person shall not operate an unmanned aerial vehicle within a horizontal distance of five hundred feet or a vertical distance of four hundred feet from a state or federal military installation with restricted public access without written consent from the commander of the specific military installation or his designee. If specific approvals have been given, all flights must be conducted within the requirements set forth by the Federal Aviation Administration for the operations of unmanned aerial vehicles.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days.”

SECTION 2. This act takes effect upon approval by the Governor.

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