**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46‑1‑135 SO AS TO PROHIBIT A PERSON WILFULLY CAUSING OR ALLOWING CERTAIN AERIAL VEHICLES TO ENTER UPON OR ABOVE THE FARM OF ANOTHER, TO PROVIDE AN EXCEPTION, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO DEFINE THE TERM “FARM”.

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

SECTION 1. Chapter 1, Title 46 of the 1976 Code is amended by adding:

“Section 46‑1‑135. (A) Any person wilfully causing or allowing an unmanned aerial vehicle, an unpiloted aerial vehicle, or a remotely piloted aerial vehicle under his control that is equipped with a camera or a recording device to enter upon or above the farm of another, without the consent of the owner, is guilty of a misdemeanor and upon conviction shall:

(1) for a first offense, be fined not more than two hundred dollars or imprisoned for not more than thirty days;

(2) for a second offense, be fined not less than one hundred dollars nor more than two hundred dollars or imprisoned for not more than thirty days; and

(3) for a third or subsequent offense, be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than six months or both.

A first or second offense prosecution resulting in a conviction shall be reported by the magistrate hearing the case to the communications and records division of the South Carolina Law Enforcement Division which shall keep a record of such conviction so that any law enforcement agency may inquire into whether a defendant has a prior record. Only those offenses which occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this section.

(B) The provisions contained in this section do not apply to law enforcement agencies.

(C) For purposes of this section, ‘farm’ means an area of land and its buildings used for the growing of crops, the raising of animals, or both.”

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

‑‑‑‑XX‑‑‑‑