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1 **HOUSE BILL NO. 2592**

2 Offered January 13, 2025

3 Prefiled January 13, 2025

4 *A BILL to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to trespass with an unmanned*  
5 *aircraft system; penalties.*

6 Patron—Batten

7 Referred to Committee for Courts of Justice

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 18.2-121.3 of the Code of Virginia is amended and reenacted as follows:**10 **§ 18.2-121.3. Trespass with an unmanned aircraft system; penalties.**11 A. Any person who knowingly and intentionally causes an unmanned aircraft system to (i) enter the  
12 property of another and come within 50 feet of a dwelling house (a) (i) to coerce, intimidate, or harass  
13 another person or (b) (ii) after having been given actual notice to desist, for any other reason; (ii) take off or  
14 land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security  
15 Sensitive Airspace Restrictions; or (iii) (a) drop any item within the boundaries of or (b) obtain any  
16 videographic or still image of any identifiable inmate or resident at any state or local correctional facility, as  
17 defined in § 53.1-1, or juvenile correctional center is guilty of a Class 1 misdemeanor.18 B. Any person who knowingly and intentionally causes an unmanned aircraft system to (i) take off or land  
19 in violation of current Federal Aviation Administration Special Security Instructions or UAS Security  
20 Sensitive Airspace Restrictions, including the airspace over any state or local correctional facility, as defined  
21 in § 53.1-1, or a juvenile correctional center or (ii) (a) drop any item within the boundaries of or (b) obtain  
22 any videographic or still image of any identifiable inmate or resident at any state or local correctional  
23 facility, as defined in § 53.1-1, or juvenile correctional center is guilty of a Class 6 felony.24 C. Any person who knowingly and intentionally causes an unmanned aircraft system to enter the property  
25 of any public services or utilities, as described in § 18.2-162, or critical infrastructure, as defined in 42  
26 U.S.C. § 5195c, is guilty of a Class 4 felony. Any person who violates this subsection and subsequently  
27 obtains and shares any videographic or still image of such public services, utilities, or critical infrastructure  
28 with the intent to commit espionage is guilty of a Class 3 felony.29 D. This section shall not apply to any person who causes an unmanned aircraft system to enter the  
30 property as set forth in subsection A, B, or C if (i) consent is given to the entry by any person with legal  
31 authority to consent or by any person who is lawfully present on such property or; (ii) such person is  
32 authorized by federal regulations to operate an unmanned aircraft system and is operating such system in an  
33 otherwise lawful manner and consistent with federal regulations; or (iii) such person is an employee of the  
34 property and is conducting official business.35 2. That the provisions of this act may result in a net increase in periods of imprisonment or  
36 commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary  
37 appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;  
38 therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal  
39 Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the  
40 Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for  
41 periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB2592