

## Senate Bill 6

By: Senators Kirkpatrick of the 32nd, Albers of the 56th, Kirk of the 13th, Robertson of the 29th, Payne of the 54th and others

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated,  
 2 relating to general provisions regarding correctional institutions of the state and counties, so  
 3 as to prohibit the use of unmanned aircraft systems to deliver or attempt to deliver  
 4 contraband to a place of incarceration; to prohibit the use of unmanned aircraft systems to  
 5 photograph any place of incarceration without permission of the warden or superintendent  
 6 of such place of incarceration; to provide for penalties; to provide for related matters; to  
 7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to  
 11 general provisions regarding correctional institutions of the state and counties, is amended  
 12 by revising Code Section 42-5-18, relating to items prohibited for possession by inmates,  
 13 warden's authorization, and penalty, by adding a new subsection to read as follows:

14 "(f)(1) It shall be unlawful for any person to intentionally use an unmanned aircraft  
 15 system to violate the provisions of subsection (b) or (b.1) of this Code section.

16 (2)(A) It shall be unlawful for any person to intentionally photograph or otherwise  
 17 record images of a place of incarceration through the use of an unmanned aircraft  
 18 system for purposes of committing a criminal offense.

19 (B) Any person may secure prior authorization from the warden or the superintendent,  
 20 or his or her designated representative, of such place of incarceration for photographing  
 21 or recording as evidence of a noncriminal intent; provided, however, that failure to  
 22 secure such prior authorization shall not evidence a criminal intent.

23 (3) Any person who commits or attempts to commit a violation of this subsection shall  
 24 be guilty of a felony and, upon conviction thereof, shall be sentenced as follows:

25 (A) Any person convicted of a violation of paragraph (1) of this subsection shall be  
 26 imprisoned for not less than one nor more than ten years; and

27 (B) Any person convicted of paragraph (2) of this subsection shall be imprisoned for  
28 not less than one nor more than five years.

29 (4) For purposes of this Code section, the term 'unmanned aircraft system' shall have the  
30 same meaning as provided for in Code section 6-1-4."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.