

By: Representative Oberhousen

To: Judiciary B

HOUSE BILL NO. 1260

1 AN ACT TO PROVIDE THAT CAUSING AN UNMANNED AIRCRAFT SYSTEM TO
2 ENTER THE LANDS OF ANOTHER WITHOUT PERMISSION CONSTITUTES A
3 TRESPASS, AND THAT REPRODUCING THE IMAGE OF ANOTHER USING AN
4 UNMANNED AIRCRAFT SYSTEM CAN CONSTITUTE AN INVASION OF PRIVACY;
5 AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) Any person who knowingly causes an unmanned
8 aircraft system to enter the lands of another without the
9 permission of the landowner shall be guilty of a misdemeanor, and
10 upon conviction, shall be punished for the first offense by a fine
11 of Two Hundred Fifty Dollars (\$250.00). Upon conviction of any
12 person for a second or subsequent offense, the offenses being
13 committed within five (5) years of the last offense, such person
14 shall be punished by a fine of Five Hundred Dollars (\$500.00), and
15 may be imprisoned in the county jail for a period of not less than
16 ten (10) nor more than thirty (30) days, or by both such fine and
17 imprisonment. This section shall not apply to the landowner's or
18 lessee's family, guests, or agents, to a surveyor as provided in



19 Section 73-13-103, or to persons entering upon such lands for
20 lawful business purposes.

21 (2) (a) It shall be the duty of sheriffs, deputy sheriffs,
22 constables and conservation officers to enforce this section.

23 (b) Such officers shall enforce this section by issuing
24 a citation to those charged with trespassing under this section.

25 (3) The provisions of this section are supplementary to the
26 provisions of any other statute of this state.

27 (4) A prosecution under the provisions of this section shall
28 be dismissed upon the request of the landowner, lessee of the land
29 or agent of such landowner or lessee, as the case may be.

30 **SECTION 2.** The use of an unmanned aircraft system to
31 photograph, film, videotape, record or otherwise reproduce the image
32 of another person while that person is on their own property shall
33 constitute an invasion of privacy, whether or not there is a
34 physical trespass, if the image could not have been achieved without
35 a trespass unless the device was used.

36 **SECTION 3.** This act shall take effect and be in force from
37 and after July 1, 2015.

