

FIRST REGULAR SESSION

# HOUSE BILL NO. 179

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE VAN SCHOIACK.

0761H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 577.800, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful use of unmanned aircraft over an open-air facility, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 577.800, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 577.800, to read as follows:

577.800. 1. A person commits the offense of unlawful use of unmanned aircraft over an open-air facility if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet from the ground and within the property line of an open-air facility; or

(2) Uses an unmanned aircraft with the purpose of delivering to a person within an open-air facility any object described in subdivision (1) or (2) of subsection 4 of this section.

2. For purposes of this section, "open-air facility" shall mean any sports, theater, music, performing arts, or other entertainment facility with a capacity of five thousand people or more and not completely enclosed by a roof or other structure.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of an open-air facility at the direction of the president or chief executive officer of the open-air facility;

(2) A person who has written consent from the president or chief executive officer of the open-air facility;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (3) An employee of a law enforcement agency, fire department, or emergency  
17 medical service in the exercise of official duties;

18 (4) A government official or employee in the exercise of official duties;

19 (5) A public utility or a rural electric cooperative if:

20 (a) The unmanned aircraft is used for the purpose of inspecting, repairing, or  
21 maintaining utility transmission or distribution lines or other utility equipment or  
22 infrastructure;

23 (b) The utility or cooperative notifies the open-air facility before flying the unmanned  
24 aircraft, except during an emergency; and

25 (c) The person operating the unmanned aircraft does not physically enter the  
26 prohibited space without an escort provided by the open-air facility; or

27 (6) An employee of a railroad in the exercise of official duties on any land owned or  
28 operated by a railroad corporation regulated by the Federal Railroad Administration.

29 4. The offense of unlawful use of unmanned aircraft over an open-air facility [~~shall be~~  
30 ~~punishable as an infraction~~] **is a class A misdemeanor** unless the person uses an unmanned  
31 aircraft for:

32 (1) Delivering a gun, knife, weapon, or other article that may be used in such manner  
33 to endanger the life of an employee or guest at an open-air facility, in which case the offense  
34 is a class B felony; or

35 (2) Delivering a controlled substance, as that term is defined under section 195.010,  
36 in which case the offense is a class D felony.

37 [~~5. Each open-air facility shall post a sign warning of the provisions of this section.~~  
38 ~~The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.~~]

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