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Date: (Filing No. S- )

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**STATE OF MAINE**  
**SENATE**  
**132ND LEGISLATURE**  
**SECOND REGULAR SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “B” to H.P. 1446, L.D. 2157, “An Act to Prohibit the Unauthorized Use of Drones on or over the Premises of Correctional Facilities and Jails”

Amend the amendment by striking out all of subsection 1 (page 1, lines 14 to 23 in amendment) and inserting the following:

'1. A person is guilty of unauthorized use of a drone on or over the premises of a correctional facility or jail if the person:

A. Intentionally or knowingly flies a drone over the premises of a correctional facility or jail at or below a height of 400 feet above the ground, lands a drone on the premises or flies a drone from the premises. Violation of this paragraph is a Class E crime;

B. Violates paragraph A and at the time of the offense has one prior conviction for violating paragraph A or one prior conviction for engaging in conduct substantially similar to that prohibited in paragraph A in another jurisdiction. Violation of this paragraph is a Class D crime; or

C. Violates paragraph A and at the time of the offense has more than one prior conviction for violating paragraph A or more than one prior conviction for engaging in conduct substantially similar to that prohibited in paragraph A in another jurisdiction. Violation of this paragraph is a Class C crime.

Section 9-A governs the use of prior convictions when determining a sentence.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment changes the penalty structure established in Committee Amendment "B" by:

- 1. Decreasing the penalty for a first-time violation for unauthorized use of a drone on or over the premises of a correctional facility or jail to a Class E crime;
- 2. Decreasing the penalty for a 2nd violation to a Class D crime; and

**SENATE AMENDMENT**

1           3. Providing that a violation after a 2nd conviction is a Class C crime.

2           **SPONSORED BY:** \_\_\_\_\_

3           **(Senator CURRY, C.)**

4           **COUNTY: Waldo**