
HOUSE BILL No. 1064

AM106402 has been incorporated into introduced printing.

Synopsis: Unmanned aerial vehicles.

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2026

IN 1064—LS 6460/DI 148



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Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1064

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-19-2-2, AS AMENDED BY P.L.187-2021,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 2. (a) The department shall do the following:
4 (1) Develop a single strategic plan for preparing for and
5 responding to homeland security emergencies.
6 (2) Assess state and local security needs.
7 (3) Administer all state emergency management and response
8 training programs.
9 (4) Administer the state's emergency operations functions during
10 an emergency.
11 (5) Administer the following:
12 (A) IC 10-14.
13 (B) IC 16-31.
14 (C) IC 22-11.
15 (D) IC 22-12.

2026

IN 1064—LS 6460/DI 148



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- 1 (E) IC 22-13.
 - 2 (F) IC 22-14.
 - 3 (G) IC 22-15.

(6) Develop and administer a program to verify liability insurance policies described in IC 32-40-5-1.

12 SECTION 2. IC 32-40 IS ADDED TO THE INDIANA CODE AS
13 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
14 2026]:

ARTICLE 40. UNMANNED AERIAL VEHICLES

Chapter 1. Applicability

17 **Sec. 1. (a) This article applies to unmanned aerial vehicles**
18 **operating at or below an altitude of four hundred (400) feet.**

19 (b) This article does not apply to any of the following:

20 (1) Emergency responders, including:

21 (A) a firefighter:

(B) an emergency

(C) a member of a search and rescue

Law enforcement's use of an unmanned aerial vehicle

24 (2) Law enforcement
25 under IC 35-33-5.
26 (3) EAA certified

(3) FAA certified air space transit.

- (4) Any regulatory entity for purposes of licensure inspections.
- (5) An individual if the individual:

29 (S) All individual in the individual
30 (A) is only awaiting the number

(A) is only operating the unauthorised individual.

31 the individual's property; or
32 (E) in the individual's

(B) is acting on behalf of:

(i) the federal government;

(ii) the state; or

(7) A person conducting an otherwise lawful agricultural operation, which may include incidental or brief overflight



1 **of a property boundary that is necessary to service an**
 2 **adjacent property.**

3 **(8) An insurer using the unmanned aerial vehicle for the**
 4 **purpose of either:**

5 **(A) investigating a policy claim on; or**

6 **(B) underwriting a property insurance policy for;**

7 **the property over which the unmanned aerial vehicle is being**
 8 **operated.**

9 **(9) Either:**

10 **(A) an offeror; or**

11 **(B) a subcontractor of the offeror;**

12 **for the purpose of preparing a potential proposal in response**
 13 **to a governmental body's request for proposals under**
 14 **IC 5-23-5.**

15 **(10) A person operating an unmanned aerial vehicle over:**

16 **(A) a public right-of-way; or**

17 **(B) an easement, including a utility easement, for which**
 18 **the person has an interest in.**

19 **Chapter 2. Definitions**

20 **Sec. 1. The definitions in this chapter apply throughout this**
 21 **article.**

22 **Sec. 2. "Enclosed curtilage" refers to the area immediately**
 23 **surrounding a dwelling, including a fenced in yard or any other**
 24 **space shielded from public view, where a person has a reasonable**
 25 **expectation of privacy.**

26 **Sec. 3. "Liability insurance" refers to an insurance policy that**
 27 **covers property damages and bodily injury caused by an**
 28 **unmanned aerial vehicle.**

29 **Sec. 4. "Unmanned aerial vehicle" means an aircraft that does**
 30 **not carry a human operator and that is capable of flight under**
 31 **remote control or autonomous programming. The term includes**
 32 **the following:**

33 **(1) An unmanned aircraft and an unmanned aircraft system**
 34 **(both as defined in the Federal Aviation Administration**
 35 **Modernization and Reform Act of 2012 (P.L.112-95, 126**
 36 **Stat. 11)).**

37 **(2) A small unmanned aircraft and a small unmanned**
 38 **aircraft system (both as defined in 14 CFR 107.3).**

39 **Chapter 3. Civil Actions Involving Unmanned Aerial Vehicles**

40 **Sec. 1. (a) Repeatedly operating an unmanned aerial vehicle**
 41 **over private real property without the property owner's**
 42 **permission is a nuisance.**



(b) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

Sec. 2. The following actions are considered a civil trespass for purposes of this chapter if done without the property owner's permission:

(1) Operating an unmanned aerial vehicle not more than one hundred (100) feet above:

(A) ground level over; or

(B) a permanent structure located on;

private real property.

(2) Landing an unmanned aerial vehicle on private real property.

Sec. 3. (a) A person may bring an action under this chapter if the person's:

(1) property is injuriously affected; or

(2) personal enjoyment is lessened;

by a nuisance described in section 1(a) of this chapter or a civil trespass described in section 2 of this chapter.

(b) A person that successfully defends an action under this section is entitled to reasonable costs and attorney's fees incurred in defending the action.

Sec. 4. A court may do any one (1) or more of the following:

(1) Issue an injunction.

(2) Award damages, including punitive damages.

(3) Impose a civil penalty not greater than one thousand dollars (\$1,000) per incident. However, a civil penalty under this subdivision may be increased to not greater than five thousand dollars (\$5,000) per incident if the incident involved operating an unmanned aerial vehicle over:

(A) livestock;

(B) a farm building;

(C) a farm worker; or

(D) any farm equipment.

Chapter 4. Crimes Involving Unmanned Aerial Vehicles

Sec. 1. (a) A person who knowingly or intentionally operates an unmanned aerial vehicle over or inside any of the following locations commits a Class A misdemeanor:

(1) A school when children are present.

(2) A playground when children are present.

(3) A child care facility when children are present

(4) A penal facility or a juvenile facility.

(5) A private dwelling, including any enclosed curtilage.



(6) A confined space such as a livestock barn.

(b) It is a defense to a prosecution under this section that the person who engaged in the conduct prohibited by subsection (a) had express consent.

Sec. 2. (a) A person who knowingly or intentionally operates an unmanned aerial vehicle over:

(1) animals or livestock; or
(2) agricultural workers in a field or barn;
commits a Class A misdemeanor.

(b) It is a defense to a prosecution under this section that the person who engaged in the conduct prohibited by subsection (a) had the property owner's permission.

Sec. 3. (a) A person who knowingly or intentionally uses an unmanned aerial vehicle to:

(1) record video or audio of;

(2) collect:

(A) visual;

(B) audio; or

(C) thermal;

data regarding; or
(3) photograph;
an individual or area of private real property without the individual's or property owner's permission commits a Class A misdemeanor.

(b) The offense under subsection (a) is a level 6 felony if the subject of the recording, data, or photograph involves critical infrastructure for agriculture or energy.

(c) It is a defense to a prosecution under this section that the person who engaged in the conduct prohibited by subsection (a) or (b) had the property owner's permission.

Chapter 5 Liability Insurance

Sec. 1. A person who operates an unmanned aerial vehicle that is at least fifty-five (55) pounds must purchase and maintain liability insurance.

SECTION 3. IC 35-52-32-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5. IC 32-40-3-1 defines a crime concerning repeated operation of an unmanned aerial vehicle over private real property without permission.**

SECTION 4. IC 35-52-32-5.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. IC 32-40-4-1 defines a crime**

2026

IN 1064—LS 6460/DI 148



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1 **concerning operation of an unmanned aerial vehicle over**
2 **prohibited places.**

3 SECTION 5. IC 35-52-32-5.2 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 5.2. IC 32-40-4-2 defines a crime
6 **concerning operation of an unmanned aerial vehicle over animals,**
7 **livestock, or agricultural workers.**

8 SECTION 6. IC 35-52-32-5.3 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: Sec. 5.3. IC 32-40-4-3 defines a crime
11 **concerning operation of an unmanned aerial vehicle to collect**
12 **recordings, data, or photographs.**

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