

PROPOSED AMENDMENT

SB 140 # 3

DIGEST

Remote aerial harassment. Provides that certain uses of a drone constitute remote aerial harassment.

- 1 Page 2, after line 35, begin a new paragraph and insert:
2 "SECTION 2. IC 35-45-10-6, AS ADDED BY P.L.107-2017,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 6. **(a)** A person who:
5 **(1)** operates an unmanned aerial vehicle in a manner that is
6 intended to subject another person to harassment;
7 **(2) operates an unmanned aerial vehicle over the property of**
8 **another person:**
9 **(A) without the consent of the other person; and**
10 **(B) with the intent to harass, disturb, or injure a vertebrate**
11 **animal on the other person's property;**
12 **(3) knowingly or intentionally disperses any substance from**
13 **an unmanned aerial vehicle onto the property of another**
14 **person without the consent of the other person;**
15 **(4) recklessly, knowingly, or intentionally flies an unmanned**
16 **aerial vehicle into a building located on the property of**
17 **another person without the consent of the other person; or**
18 **(5) recklessly, knowingly, or intentionally operates an**
19 **unmanned aerial vehicle:**
20 **(A) over the property of another person; and**
21 **(B) without the consent of the other person;**
22 **in a manner that interferes with or endangers another**
23 **aircraft or unmanned aerial vehicle;**
24 commits remote aerial harassment, a Class A misdemeanor. However,
25 the offense is a Level 6 felony if the person has a prior unrelated
26 conviction under this section.
27 **(b) It is a defense to a prosecution under this section that the**

- 1 **prohibited act was:**
2 **(1) the result of a mechanical or electronic failure; or**
3 **(2) necessary to avoid a greater harm.**
4 **(c) It is a defense to a prosecution under subsection (a)(3) that:**
5 **(1) the substance came onto the property of a person owning**
6 **or occupying adjacent property as the result of unintentional**
7 **overspray; and**
8 **(2) the person took reasonable good faith precautions to**
9 **minimize the amount of overspray."**
10 Renumber all SECTIONS consecutively.
 (Reference is to SB 140 as reprinted January 23, 2026.)