

# PROPOSED AMENDMENT

## SB 140 # 3

### DIGEST

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

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- 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.)