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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### AB 426 (Dixon) - Impeding emergency response with drone

**Version:** April 2, 2025

**Urgency:** No

**Hearing Date:** August 18, 2025

**Policy Vote:** JUD. 12 - 0

**Mandate:** No

**Consultant:** Liah Burnley

**Bill Summary:** AB 426 creates a civil penalty for using a drone at the scene of an emergency.

#### **Fiscal Impact:**

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. Creating a new cause of action that allows for the recovery of attorney's fees and statutory damages, may lead to additional case filings that otherwise would not have been commenced. Expanding civil penalties could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- Unknown, potentially significant costs (General Fund, local funds, special funds) to state and local prosecutors to prosecute civil enforcement actions for violations of this bill.

**Background:** Under existing law it is a misdemeanor to go to the scene of an emergency, or stop at the scene of an emergency, for the purpose of viewing the scene or the activities of police officers, firefighters, emergency medical, or other emergency personnel, or military personnel coping with the emergency in the course of their duties during the time it is necessary for emergency vehicles or those personnel to be at the scene of the emergency or to be moving to or from the scene of the emergency for the purpose of protecting lives or property, unless it is part of the duties of that person's employment to view that scene or those activities, and thereby impedes police officers, firefighters, emergency medical, or other emergency personnel or military personnel, in the performance of their duties in coping with the emergency. (Pen. Code, § 402.)

#### **Proposed Law:**

- Makes it unlawful to operate or use an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impede firefighters, peace officers, medical personnel, military personnel, or other emergency personnel

in the performance of their fire suppression, law enforcement, or emergency response duties.

- Authorizes the Attorney General or a county counsel or city attorney may bring a civil enforcement action. The prevailing plaintiff in an action may recover any of the following in any court of competent jurisdiction:
  - A civil penalty not exceeding \$75,000 for each violation;
  - Injunctive relief; and,
  - Reasonable attorney's fees and costs.
- Exempts a person who has been granted an Operational Waiver issued by the Federal Aviation Administration pursuant to the Code of Federal Regulations.

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