

HB 468-FN - AS INTRODUCED

2025 SESSION

25-0708

09/11

HOUSE BILL **468-FN**

AN ACT establishing the crime of and penalties for unlawful use of unmanned aircraft systems.

SPONSORS: Rep. Roy, Rock. 31; Rep. Wheeler, Hills. 33; Sen. Birdsell, Dist 19

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes the crime of and penalties for unlawful use of small unmanned aircraft systems.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT establishing the crime of and penalties for unlawful use of unmanned aircraft systems.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Unlawful Operation or Use of Unmanned Aircraft Systems. Amend RSA 644 by
2 inserting after section 22 the following new section:

3 644:23 Unlawful Operation or Use of Small Unmanned Aircraft System.

4 I. As used in this section:

5 (a) "Aircraft" shall mean "aircraft" as it is defined in RSA 422:3, VI.

6 (b) "Operation" or "operate" shall mean "operation of aircraft" or "operate aircraft" as
7 those terms are defined in RSA 422:3, XXII.

8 (c) "Small unmanned aircraft" shall mean "small unmanned aircraft" as it is defined in
9 RSA 422:3, XXVII-a.

10 (d) "Small unmanned aircraft system" shall mean "small unmanned aircraft system" as
11 it is defined in RSA 422:3, XXVII-b.

12 II. A person is guilty of a violation for a first offense, and a misdemeanor for a second or
13 subsequent offense, if such person operates a small unmanned aircraft system in violation of laws
14 and regulations of the Federal Aviation Administration (FAA), including but not limited to 14 C.F.R.
15 part 107.

16 III. A person is guilty of:

17 (a) A class A misdemeanor if such person negligently operates a small unmanned
18 aircraft system in a manner so as to interfere with or disrupt the flight of a human-occupied aircraft,
19 or otherwise impede the normal course of operations of any international, regional, municipal, or
20 general aviation airport.

21 (b) A class B felony if such operation results in damage to a human-occupied aircraft in
22 flight.

23 (c) A class A felony if such operation causes said aircraft to crash and such crash results
24 in death or serious bodily injury.

25 IV. A person is guilty of a misdemeanor if such a person operates a small unmanned aircraft
26 system in FAA-restricted airspace over the property of a federal or state correctional, penal, or
27 detention facility, and a class B felony if such operation is done with the purpose of delivering
28 contraband into the facility or to aid in the escape of a prisoner.

29 V. A person is guilty of a class B felony if such person is knowingly in possession of or
30 operates a small unmanned aircraft system equipped with a device capable of causing serious bodily

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1 injury, death, or property damage or is otherwise capable of firing or releasing a projectile. Federal,
2 state, and municipal public safety bomb squad personnel are exempted from this provision for the
3 limited purpose of use of a small unmanned aircraft system for the disposal of explosives, bombs,
4 and hazardous devices. Law enforcement's use of a small unmanned aircraft system to deploy
5 distraction or disorientation devices is exempt from this provision.

6 VI. This provision shall not apply to any law enforcement officer acting pursuant to his or
7 her lawful authority.

8 2 New Paragraph; Prohibitions; Unlawful Operation or Use of Unmanned Aircraft Systems.
9 Amend RSA 422:28 by inserting after paragraph XIV the following new paragraph:

10 XV. For any person to operate or use a small unmanned aircraft system in violation of RSA
11 644:23.

12 3 New Paragraph; Penalties; Unlawful Operation or Use of Unmanned Aircraft Systems.
13 Amend RSA 422:29 by inserting after paragraph IX the following new paragraph:

14 X. The penalties for a violation of RSA 422:28, XV are those provided in RSA 644:23.

15 4 Effective Date. This act shall take effect January 1, 2026.

**HB 468-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing the crime of and penalties for unlawful use of unmanned aircraft systems.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill *Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association