

1 HOUSE BILL NO. 680

2 INTRODUCED BY K. SEEKINS-CROWE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO CRIMINAL ACTS;
5 CREATING THE OFFENSE OF OPERATING AN UNAUTHORIZED UNMANNED AERIAL VEHICLE ~~IN~~
6 ~~PROXIMITY TO~~ OVER A CORRECTIONAL INSTITUTION; REVISING SENTENCING FOR ASSAULT WITH
7 BODILY FLUID; REVISING LAWS RELATED TO POSSESSING AND TRANSFERRING ILLEGAL ARTICLES;
8 REVISING LAWS RELATED TO PERSISTENT FELONY OFFENDERS; AND AMENDING SECTIONS 45-5-
9 214, 45-7-307, 46-1-202, AND 46-18-502, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 NEW SECTION. **Section 1. Operating an unauthorized unmanned aerial vehicle in proximity to**

14 **a correctional institution.** (1) A person commits the offense of operating an unauthorized unmanned aerial
15 vehicle in proximity to a correctional institution if the person purposely or knowingly operates or assists in the
16 operation of an unmanned aerial vehicle over ~~or within a 2-mile 250-YARD radius of~~ a correctional institution
17 without the authorization of the correctional institution.

18 (2) A person convicted of the offense of operating an unauthorized unmanned aerial vehicle in
19 proximity to a correctional institution shall be imprisoned in a state prison for a term of not less than 1 year or
20 more than 5 years.

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22 **Section 2.** Section 45-5-214, MCA, is amended to read:

23 **"45-5-214. Assault with bodily fluid.** (1) A person commits the offense of assault with a bodily fluid if
24 the person purposely causes one of the person's bodily fluids to make physical contact with:

25 (a) a law enforcement officer, a staff person of a correctional or detention facility, or a health care
26 provider, as defined in 50-4-504, including a health care provider performing emergency services, while the
27 health care provider is acting in the course and scope of the health care provider's profession and occupation:

28 (i) during or after an arrest for a criminal offense;