



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1994/1
EVM:skw&cdc

2025 BILL

1 **AN ACT** *to renumber* 114.045 (1); *to renumber and amend* 114.045 (3); *to*
2 *create* 114.045 (1) (b) and 114.045 (3) (b) of the statutes; **relating to:**
3 operation of drones over certain utility facilities and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits the unauthorized, noncommercial operation of a drone over a correctional institution. Any person who violates this prohibition may be required to forfeit not more than \$5,000. This bill prohibits the unauthorized operation of a drone at an altitude of less than 300 feet over or within 500 feet of a parcel on which certain water reclamation, power, telecommunications, and water system facilities are located. The penalty for a violation of this prohibition is the same as for unauthorized operation of a drone over a correctional institution.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 114.045 (1) of the statutes is renumbered 114.045 (1) (a).

5 **SECTION 2.** 114.045 (1) (b) of the statutes is created to read:

6 114.045 (1) (b) 1. Except as provided in subd. 2. or 3., no person may operate

BILL**SECTION 2**

1 a drone, as defined in s. 941.292 (1), at an altitude of less than 300 feet, over or
2 within 500 feet of a parcel on which of any of the following facilities are located:

3 a. A water reclamation facility or a building designed for the purpose of water
4 reclamation conveyance management.

5 b. A gas or electric power plant, generating station, electric substation,
6 natural gas gate station, or storage facility or a building designed for the purpose of
7 gas or electric power management.

8 c. A telecommunications carrier plant, equipment used to furnish
9 telecommunications services, or a building designed for the purpose of
10 telecommunications management.

11 d. A public water system facility or a building designed for the purpose of
12 public water system management.

13 2. Subdivision 1. does not prohibit the operation of a drone at the direction of
14 any of the following for official business:

15 a. The owner or operator of the facility for the purpose of monitoring,
16 inspecting, operating, or maintaining the facility.

17 b. A county, city, village, or town in which the parcel is located in any area
18 under its jurisdiction.

19 3. Subdivision 1. does not prohibit the operation of a drone for a commercial
20 purpose if the done is operated in compliance with federal aviation administration
21 regulations, authorizations, or exemptions.

22 **SECTION 3.** 114.045 (3) of the statutes is renumbered 114.045 (3) (a) and
23 amended to read:

24 114.045 (3) (a) A law enforcement officer investigating an alleged violation of

BILL**SECTION 3**

1 sub. (1) (a) shall seize and transfer to the department of corrections or authority in
2 charge of the correctional institution any photograph, motion picture, other visual
3 representation, or data that represents a visual image that was created or recorded
4 by a drone during an alleged violation of sub. (1) (a).

5 **SECTION 4.** 114.045 (3) (b) of the statutes is created to read:

6 114.045 (3) (b) A law enforcement officer investigating an alleged violation of
7 sub. (1) (b) shall seize and do all of the following with any photograph, motion
8 picture, or other visual representation, or data that represents a visual image that
9 was created or recorded by a drone during an alleged violation of sub. (1) (b):

10 1. Transfer the materials to the law enforcement agency that has primary
11 responsibility for providing police protective services in the city, village, or town in
12 which the violation occurred.

13 2. Upon completion of any enforcement proceeding related to an alleged
14 violation of sub. (1) (b), provide copies of the materials to each city, village, town, or
15 county in which the violation occurred.

16 (END)