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H.B. 425
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Hoops

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SUMMARY

- Prohibits trespass into the air space above another person's private property with an unmanned aerial vehicle system (UAVS).
- Prohibits forms of unauthorized recording with a UAVS and deploying substances or objects with a UAVS.
- Makes violation of the prohibitions described above a fourth degree misdemeanor.

DETAILED ANALYSIS

Trespass with a UAVS

Under current law, a person is prohibited from knowingly entering or remaining on the land or premises of another person. Similarly, if fencing, signage, or verbal warnings make it clear that trespass is prohibited, a person is prohibited from recklessly trespassing or negligently remaining on the land or premises of another person.¹ While a physical entry onto another person's private property is clearly prohibited, current law is less clear about trespass using an unmanned area vehicle system (UAVS), commonly known as a drone.

The bill creates a series of trespass prohibitions to prohibit trespass with a UAVS. Specifically, unless a person has the privilege to operate the UAVS in the air space above the land or premises of another person, the bill prohibits that person from doing any of the following:

- Knowingly operating a UAVS in the air space above the land or premises of another person;

¹ R.C. 2911.21, not in the bill.

- Recklessly operating a UAVS in that air space when notice against unauthorized access is given through actual communication, conspicuous postings, fencing, or some other form of enclosure designed to restrict access; or
- Negligently continuing to operate a UAVS in that air space after being given a direct notification to leave by the owner or occupant of the property.²

As indicated above, these prohibitions against trespass do not apply if a person is otherwise legally authorized (or privileged) to operate the UAVS in another's airspace (e.g., if a person is authorized under federal, state, or local laws or by permission of the landowner).

Unauthorized recording or deploying of substances

The bill also prohibits a person (without privilege to do so) from knowingly using a UAVS to videotape, film, photograph, broadcast, stream, capture audio, or otherwise record either:

- Another person, in a place where the person has a reasonable expectation of privacy; or
- Another person's property, including any animals or objects on another person's private property.

Finally, the bill also prohibits a person from knowingly using a UAVS to deploy any substance, material, projectile, or object.³

Penalties

The bill makes a violation of any of the prohibitions described above a fourth degree misdemeanor. Under current law, the parallel trespass penalties for entering and remaining physically on another person's property are also fourth degree misdemeanors. The penalties for a fourth degree misdemeanor generally are a fine of up to \$250 and up to 30 days in jail.⁴

HISTORY

Action	Date
Introduced	08-28-25

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² R.C. 4561.54(A), (B), and (C).

³ R.C. 4561.54(D), (E), and (F).

⁴ R.C. 4561.50(G); R.C. 2911.21(D)(1), 2929.24, and 2929.28, not in the bill.