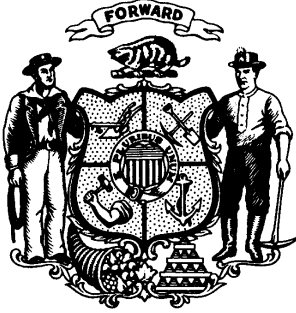


State of Wisconsin



2025 Assembly Bill 530

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT *to renumber and amend* 114.045 (1) and 114.045 (3); *to amend* 114.045 (2); *to create* 114.045 (1b), 114.045 (1m) (b), 114.045 (3) (b) and 114.045 (4) of the statutes; **relating to**: the operation of drones over school property and providing a penalty.

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

SECTION 1. 114.045 (1) of the statutes is renumbered 114.045 (1m) (intro.) and amended to read:

114.045 (1m) (intro.) No person may operate a drone, as defined in s. 941.292 (1), ~~over~~ in any of the following manners:

(a) Over a correctional institution, as defined in s. 801.02 (7) (a) 1., including any grounds of the institution, except that a person may operate a drone over an institution that is a state facility with the express authorization of the secretary of corrections or his or her designee or over an institution that is a county facility with the express authorization of the sheriff of the county or his or her designee.

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

114.045 (1b) In this section:

(a) "Private school" has the meaning given in s. 115.001 (3r).

(b) "Public protective services agency" means a law enforcement agency, a tribal law enforcement agency, or a fire protection or emergency medical services agency.

(c) "Public school" means an elementary or high school. "Public school" includes a charter school.

(d) "School" means a public school, private school, or tribal school.

(e) "Tribal school" has the meaning given in s. 115.001 (15m).

SECTION 3. 114.045 (1m) (b) of the statutes is created to read:

114.045 (1m) (b) Over a property owned by a school or on which a school is located during periods when the school is open to pupils for instruction or when the property is being used for an event approved by the school board, governing board, or governing body having jurisdiction over the school, except in any of the following situations:

1. With the express authorization of the school board, governing body, or governing board having jurisdiction over the school or their designee.

2. At the direction of the sheriff or the chief of a public protective services agency having jurisdiction over the territory on which the school property is located for any of the following purposes:

- To assist in an active search and rescue operation.
- To locate an escaped prisoner.
- To surveil a place or location for the purpose of executing an arrest warrant.

d. When a law enforcement officer has reasonable suspicion to believe that the use of a drone is necessary

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

to prevent imminent danger to an individual or to prevent imminent destruction of evidence.

SECTION 4. 114.045 (2) of the statutes is amended to read:

114.045 (2) Any person who violates sub. ~~(1)~~ (1m) may be required to forfeit not more than \$5,000.

SECTION 5. 114.045 (3) of the statutes is renumbered 114.045 (3) (a) and amended to read:

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

SECTION 6. 114.045 (3) (b) of the statutes is created to read:

114.045 (3) (b) Items seized under par. (a) shall be, for a violation under sub. (1m) (a), transferred to the department of corrections or authority in charge of the correctional institution or, for a violation under sub. (1m) (b), transferred to or retained by a law enforcement agency having jurisdiction over the territory on which the school property is located.

SECTION 6m. 114.045 (4) of the statutes is created to read:

114.045 (4) The school board or other governing board or body shall respond to a request for authorization under sub. (1m) (b) 1. within 5 business days of receiving the request.