

H. B. No. 450  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 2 of the title, after "2911.23" insert "and to enact section 1  
3999.43" 2

In line 7, after "2911.23" insert "be amended and section 3999.43"; 3  
delete "amended" and insert "enacted" 4

After line 320, insert: 5

"Sec. 3999.43. (A) As used in this section: 6

(1) "Agent" has the same meaning as in section 3905.01 of 7  
the Revised Code; 8

(2) "Insurer" and "person" have the same meanings as in 9  
section 3901.32 of the Revised Code; 10

(3) "Unmanned aerial vehicle system," commonly referred to 11  
as a drone, has the same meaning as in section 2911.21 of the 12  
Revised Code. "Unmanned aerial vehicle system" does not include 13  
any fixed-wing aircraft flying above four hundred feet in the 14  
air. 15

(B) (1) An insurer, an insurer's employees, contractors, 16

agents, agent's contractors, or any nonprofit organization 17  
established to detect or prevent insurance-related crime or 18  
fraud, when using an unmanned aerial vehicle system, does not 19  
commit any form of trespass for the purpose of Title XXIX of the 20  
Revised Code, or for any potential civil action, if the insured 21  
person, third-party claimant, or other related party alleging 22  
trespass was notified of the future or potential use or 23  
operation of an unmanned aerial vehicle system to conduct the 24  
business of insurance prior to the allegation. 25

(2) Notification of the future or potential use or 26  
operation of an unmanned aerial vehicle system may be 27  
effectuated by any means. Solely providing notification in an 28  
application for insurance or for renewal of an insurance policy 29  
is sufficient to meet the notification requirement under this 30  
section. 31

(3) The notification need only inform the insured person, 32  
third-party claimant, or other related party that an unmanned 33  
aerial vehicle system may be used in conducting the business of 34  
insurance. 35

(C) (1) Notification given under this section need not be 36  
acknowledged, signed, or otherwise accepted. 37

(2) Notification is intended to inform and is effective 38  
when sent by the insurer, the insurer's employees, contractors, 39  
agents, agent's contractors, or any nonprofit organization 40  
established to detect or prevent insurance-related crime or 41  
fraud. 42

(D) With regard to any person who was not previously 43  
notified of the use of any unmanned aerial vehicle system, an 44  
insurer, the insurer's employees, contractors, agents, agent's 45

contractors, or any nonprofit organization established to detect 46  
or prevent insurance-related crime or fraud is not liable for or 47  
guilty of trespass related to either of the following: 48

(1) Using or operating an unmanned aerial vehicle system 49  
inadvertently above the land or premises of another person; 50

(2) Any unintentional, accidental, or incidental capturing 51  
of another person or property on videotape, film, photograph, 52  
broadcast, stream, or any other form of recording through the 53  
use of an unmanned aerial vehicle system." 54

After line 322, insert: 55

"**Section 3.** The amendment by this act of sections 2907.08, 56  
2911.21, 2911.211, and 2911.23 of the Revised Code takes effect 57  
on, and applies to insurers, and insurers' employees, 58  
contractors, and agents, with regard to conducting of the 59  
business of insurance in this state, beginning thirteen months 60  
after the effective date of this section." 61

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 62

**Exempts insurers from liability when using drones** 63

**R.C. 3999.43 and Section 3** 64

Exempts insurers and their agents from penalty or 65  
liability related to allegations of trespass by insured persons, 66  
third-party claimants, or other related parties with regard to 67  
the use of drones if such persons were notified of the potential 68

or future use of drones by the insurer prior to the allegation	69
of trespass.	70
Specifies that such notification does not have to be	71
acknowledged by the receiving party.	72
For persons who did not receive such a notification,	73
exempts insurers from liability or penalty related to trespass	74
in either of the following situations:	75
--Operating a drone inadvertently above the land or	76
premises of another person;	77
--Any unintentional recording of another person through	78
the use of drone.	79
Delays, with regard to insurers and their agents, the	80
effective date of the bill's other provisions until thirteen	81
months after the effective date of the bill, insofar as the	82
insurers or their agents are engaging in the business of	83
insurance.	84