

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
191-38 (COR)	Eulogio Shawn Gumataotao	AN ACT TO <i>ADD</i> A NEW § 70.460 TO ARTICLE 4 OF CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE UNAUTHORIZED OPERATION OF UNMANNED AIRCRAFT OVER GOVERNMENT OF GUAM, CORRECTIONAL AND DETENTION FACILITIES.	9/18/25 12:14 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 191-38 (COR)

Introduced by:

Eulogio Shawn Gumataotao 

**AN ACT TO ADD A NEW § 70.460 TO ARTICLE 4 OF
CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO PROHIBITING THE UNAUTHORIZED
OPERATION OF UNMANNED AIRCRAFT OVER
GOVERNMENT OF GUAM CORRECTIONAL AND
DETENTION FACILITIES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. *I Liheslaturan Guåhan* finds that the Department of Corrections (DOC) requested the Committee on Public Safety, Emergency Management, and Guam National Guard to introduce legislation drafted by the department, relative to the operation of unmanned aircraft, commonly known as “drones”, over correctional and detention facilities. According to DOC, unmanned aircraft threaten the security of correctional and detention facilities nationwide, with the use of technology to smuggle dangerous contraband including weapons and illegal drugs to individuals confined within correctional and detention facilities. The department argues the enactment of legislation prohibiting unlawful use of unmanned aircraft is critical to the safety of DOC personnel and the inmates entrusted to their care.

I Liheslatura further finds that Bill No. 155-34 (LS) introduced in July 2017 proposed restricting drones and unmanned robots in the airspace over certain government of Guam facilities which the bill described as vulnerable targeted areas. The facilities included the Ricardo J. Bordallo Governor's Complex, Government

1 House, Guam Congress Building, Judiciary of Guam, Office of Civil Defense, Guam
2 Homeland Security, Guam Police Department, Department of Corrections,
3 Department of Youth Affairs, and Guam Memorial Hospital Authority. Bill No. 155-
4 34 (LS) was introduced just weeks before DOC officers discovered an unmanned
5 aircraft or drone near one of the prison's housing units while searching the prison's
6 yard and perimeter.

7 Consistent with DOC's request, *I Liheslaturan Guahan* intends to establish
8 public policy restricting the use of unauthorized unmanned aircraft over its facilities,
9 and to extend the provisions of this Act to detention or similar facilities operated by
10 other law enforcement departments and agencies of the government of Guam
11 including, but not limited to, the Department of Youth Affairs, Guam Police
12 Department, and the Judiciary of Guam.

13 **Section 2.** A new § 70.460 is *added* to Article 4 of Chapter 70, Title 9, Guam
14 Code Annotated, to read as follows:

15 **“§ 70.460. Operation of Unmanned Aircraft Over Correctional or**
16 **Detention Facility.**

17 **(a) Definitions.**

18 **(1) “Contraband” means any item not provided by or authorized by the**
19 **operator of a correctional facility or detention facility;**

20 **(2) “Correctional Facility” means a confinement facility at a prison**
21 **operated by the Department of Corrections for the incarceration of convicted**
22 **inmates;**

23 **(3) “Detention Facility” means a facility operated by the Department**
24 **of Corrections for confinement of pretrial inmates, a facility operated by the**
25 **Department of Youth Affairs for the confinement of juvenile offenders, a jail**
26 **operated by the Guam Police Department for the confinement of persons**
27 **arrested and/or are under criminal investigation, or a jail or similar holding**

1 facility for inmates and detainees operated by the Judiciary of Guam or other
2 law enforcement entity of the government of Guam.

3 (4) “Unmanned Aircraft” means an unmanned aerial vehicle (UAV) or
4 unmanned aircraft system (UAS), which can be flown, remotely-controlled,
5 or fly autonomously through software-controlled flight plans in their
6 embedded systems, working in conjunction with onboard sensors and GPS.

7 (b) Unlawful Use of Unmanned Aircraft. A person commits an offense of
8 unlawful use of an unmanned aircraft, if the person intentionally or knowingly:

9 (1) operates an unmanned aircraft over a correctional facility or
10 detention facility and the unmanned aircraft is not higher than 400 feet above
11 ground level;

12 (2) allows an unmanned aircraft to make contact with a correctional
13 facility or detention facility, including any person or object on the premises
14 of or within the facility; or

15 (3) allows an unmanned aircraft to come within a distance of a
16 correctional facility of or within the facility that is close enough to interfere
17 with the operations of or cause a disturbance to the facility.

18 (c) Exemptions. This section does not apply to conduct described by
19 Subsection (b) that is committed by:

20 (1) the Federal government or the government of Guam;

21 (2) a person under contract with or otherwise acting under the direction
22 or on behalf of the Federal government or the government of Guam;

23 (3) a person who has the prior written consent of the correctional
24 facility or detention facility;

25 (4) a law enforcement agency recognized in the Peace Officer
26 Standards and Training statute, 17 GCA Chapter 51; or

1 (5) a person who has the prior written consent of the law enforcement
2 agency authorized by this section.

3 (d) Offense Remedies. Whoever commits an offense of unlawful use of an
4 unmanned aircraft as provided in this section is guilty of a misdemeanor and shall
5 be fined not more than five hundred dollars (\$500.00), or imprisoned for not more
6 than six (6) months, except that the offense is:

7 (1) a felony if the actor has previously been convicted under this
8 section; or

9 (2) a felony if, during the commission of the offense, the actor used
10 the unmanned aircraft to:

11 (A) provide contraband to a person in custody of the
12 correctional facility or detention facility; or

13 (B) otherwise introduces contraband into the correctional
14 facility or detention facility.”

15 **Section 3. Effective Date.** This Act shall become effective upon
16 enactment.