2016 Regular Session

HOUSE BILL NO. 19

BY REPRESENTATIVE DWIGHT

1 AN ACT 2 To amend and reenact R.S. 14:337(A), (D), and (E) and to enact R.S. 14:337(B)(3)(d) and 3 (4)(e), relative to unlawful use of an unmanned aircraft system; to prohibit use of an 4 unmanned aircraft system to conduct surveillance of, gather evidence or collect 5 information about, or photographically or electronically record a school, school 6 premises, or correctional facilities; to provide with respect to elements of the crime; 7 to provide for exceptions; to provide for applicability; to provide criminal penalties; 8 to provide relative to the definitions of school and school premises; and to provide 9 for related matters. 10 Be it enacted by the Legislature of Louisiana: 11 Section 1. R.S. 14:337(A), (D), and (E) are hereby amended and reenacted and R.S. 12 14:337(B)(3)(d) and (4)(e) are hereby enacted to read as follows: 13 §337. Unlawful use of an unmanned aircraft system 14 A. Unlawful use of an unmanned aircraft system is either of the following: 15 the 16 (1) The intentional use of an unmanned aircraft system to conduct 17 surveillance of, gather evidence or collect information about, or photographically or 18 electronically record a targeted facility without the prior written consent of the owner 19 of the targeted facility. 20 (2) The intentional use of an unmanned aircraft system over the grounds of 21 a state or local jail, prison, or other correctional facility that incarcerates or detains 22 juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	for violations of criminal law without the express written consent of the person in
2	charge of that state or local jail, prison, or other correctional facility.
3	B. As used in this Section, the following definitions shall apply:
4	* * *
5	(3) "Targeted facility" means the following systems:
6	* * *
7	(d) School and school premises as defined by R.S. 14:40.6(B).
8	* * *
9	(4) "Unmanned aircraft system" means an unmanned, powered aircraft that
10	does not carry a human operator, can be autonomous or remotely piloted or operated,
11	and can be expendable or recoverable. "Unmanned aircraft system" does not include
12	any of the following:
13	* * *
14	(e) An unmanned aircraft system used by a person, affiliate, employee,
15	agent, or contractor of any business which is regulated by the Louisiana Public
16	Service Commission or by a local franchising authority or the Federal
17	Communications Commission under the Cable Television Consumer Protection and
18	Competition Act of 1992 or of a municipal or public utility, while acting in the
19	course and scope of his employment or agency relating to the operation, repair, or
20	maintenance of a facility, servitude, or any property located on the immovable
21	property which belongs to such a business.
22	* * *
23	D. The provisions of this Section shall apply unless preempted by applicable
24	federal law or by regulations adopted by the Federal Aviation Administration not
25	apply to any of the following:
26	(1) Any person operating an unmanned aircraft vehicle or unmanned aircraft
27	system in compliance with federal law or Federal Aviation Administration
28	authorization or regulations.

1	(2) The operation of an unmanned aircraft by institutions of higher education
2	conducting research, extension, and teaching programs in association with university
3	sanctioned initiatives.
4	E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft
5	system as provided in Paragraph $(A)(1)$ of this Section shall be fined not more than
6	five hundred dollars, or imprisoned for not more than six months, or both.
7	(2) On a conviction for a second or subsequent offense as provided in
8	Paragraph (A)(1) of this Section, the offender shall be fined not less than five
9	hundred dollars nor more than two thousand dollars, or imprisoned, with or without
10	hard labor, for not less than six months nor more than one year, or both.
11	(3) Whoever commits the crime of unlawful use of an unmanned aircraft
12	system as provided in Paragraph (A)(2) of this Section shall be fined not more than
13	two thousand dollars, or imprisoned for not more than six months, or both.
14	(4) On a conviction for a second or subsequent offense as provided in
15	Paragraph (A)(2) of this Section, the offender shall be fined not less than two
16	thousand dollars nor more than five thousand dollars, or imprisoned, with or without
17	hard labor, for not more than one year, or both.
18	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____