

**ACT No. 539**

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

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.

