

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1326

By: Murdock of the House

and

Paxton of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to unmanned aircraft; defining terms;
12 prohibiting operation of unmanned aircraft over
13 private agricultural property; providing exceptions;
14 limiting certain notice requirement; prescribing
15 punishment for violation; providing for codification;
16 and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 323 of Title 3, unless there is
20 created a duplication in numbering, reads as follows:

21 A. As used in this section:

22 1. "Agricultural property" means land which is primarily used
23 for farming, ranching, hunting, fishing or forestry purposes; and
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1 2. "Unmanned aircraft" means an aircraft without occupants that
2 is flown by a pilot via a ground control system or autonomously
3 through use of an onboard computer, communication links and other
4 additional equipment necessary to operate the aircraft and includes
5 unmanned aircraft commonly called drones.

6 B. Except as provided in subsection C of this section, a person
7 shall not intentionally or knowingly operate an unmanned aircraft
8 over the private agricultural property of another.

9 C. This section shall not apply to conduct committed by:

10 1. The federal government, the state or a political subdivision
11 of the state;

12 2. A person under contract with or otherwise acting under the
13 direction or on behalf of the federal government, the state or a
14 political subdivision of the state;

15 3. A law enforcement agency;

16 4. A person under contract with or otherwise acting under the
17 direction or on behalf of a law enforcement agency;

18 5. A person who has the prior written consent of the property
19 owner or legal tenant or lessee of the property;

20 6. A public utility or oil and gas company primarily engaged in
21 commercial operations for the production, sale and distribution of
22 electricity, oil or natural gas, or any person or persons under
23 contract or at the direction or on behalf of the public utility or
24 oil and gas company that have an existing easement or right-of-way

1 and have notified the owner of the property in advance. Such notice
2 shall not be required for emergency evaluation of pipeline or
3 utility infrastructure; or

4 7. An operator of an unmanned aircraft that is being used for a
5 commercial purpose, provided that the operator is authorized by the
6 Federal Aviation Administration to conduct the operation.

7 D. Any violation of this section shall be a misdemeanor,
8 punishable upon conviction by a fine of not more than Five Hundred
9 Dollars (\$500.00) or by imprisonment in the county jail not to
10 exceed one (1) year, or by both such fine and imprisonment.

11 SECTION 2. This act shall become effective November 1, 2017.

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