

1 **SENATE FLOOR VERSION**

2 February 19, 2019

3 SENATE BILL NO. 304

By: Murdock

4  
5  
6 An Act relating to unmanned aircraft; defining terms;  
7 prohibiting operation of unmanned aircraft over  
8 private agricultural property; providing exceptions;  
9 limiting certain notice requirement; prescribing  
10 punishment for violation; providing for codification;  
11 and providing an effective date.

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

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

16 A. As used in this section:

17 1. "Agricultural property" means land which is primarily used  
18 for farming, ranching, hunting, fishing or forestry purposes; and

19 2. "Unmanned aircraft" means an aircraft without occupants that  
20 is flown by a pilot via a ground control system or autonomously  
21 through use of an onboard computer, communication links and other  
22 additional equipment necessary to operate the aircraft and includes  
23 unmanned aircraft commonly called drones.  
24

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

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

5 1. The federal government, the state or a political subdivision  
6 of the state;

7 2. A person under contract with or otherwise acting under the  
8 direction or on behalf of the federal government, the state or a  
9 political subdivision of the state;

10 3. A law enforcement agency;

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

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

15 6. A public utility or oil and gas company primarily engaged in  
16 commercial operations for the production, sale and distribution of  
17 electricity, oil or natural gas, or any person or persons under  
18 contract or at the direction or on behalf of the public utility or  
19 oil and gas company that have an existing easement or right-of-way  
20 and have notified the owner of the property in advance. Such notice  
21 shall not be required for emergency evaluation of pipeline or  
22 utility infrastructure; or

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

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

8           SECTION 2. This act shall become effective November 1, 2019.

9 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
10 February 19, 2019 - DO PASS

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24