

2021 Regular Session

HOUSE BILL NO. 265

BY REPRESENTATIVE BRASS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Provides relative to penalties for unlawful use of an unmanned aircraft system

1 AN ACT

2 To amend and reenact R.S. 14:337(E)(1) and (2), relative to the crime of unlawful use of an
3 unmanned aircraft system; to provide for increased penalties; to provide for an
4 effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:337(E)(1) and (2) are hereby amended and reenacted to read as
7 follows:

8 §337. Unlawful use of an unmanned aircraft system

9 * * *

10 E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft
11 system as provided in Paragraph (A)(1) of this Section shall be fined not ~~more than~~
12 ~~five hundred dollars~~ less than one thousand dollars nor more than five thousand
13 dollars, or imprisoned with or without hard labor for not more than ~~six months~~ two
14 years, or both.

15 (2) On a conviction for a second or subsequent offense as provided in
16 Paragraph (A)(1) of this Section, the offender shall be fined not less than ~~five~~
17 ~~hundred~~ one thousand five hundred dollars nor more than ~~two~~ twenty thousand
18 dollars, or imprisoned, with or without hard labor, for not less than ~~six months~~ one
19 year nor more than ~~one year~~ five years, or both.

20 * * *

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 265 Original

2021 Regular Session

Brass

Abstract: Provides for increased penalties for unlawful use of an unmanned aircraft system.

Present law (R.S. 14:337(A)(1)) prohibits the use of an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record a targeted facility without the prior written consent of the owner of the targeted facility.

Present law provides that the penalty for a first conviction of unlawful use of an unmanned aircraft system is a fine of up to \$500 or imprisonment for up to six months, or both.

Proposed law increases the penalty for a first conviction to a fine of not less than \$1,000 and not more than \$5,000, imprisonment with or without hard labor for not more than two years, or both.

Present law provides that the penalty for a second or subsequent conviction of an unmanned aircraft system is a fine of not less than \$500 and not more than \$2,000, imprisonment with or without hard labor for not less than six months nor more than one year, or both.

Proposed law increases the penalty for second and subsequent convictions to a fine of not less than \$1,500 and not more than \$20,000, imprisonment with or without hard labor for not less than one year and not more than five years, or both.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 14:337(E)(1) and (2))