

RÉSUMÉ DIGEST

ACT 529 (SB 141)

2016 Regular Session

Claitor

Prior law, relative to criminal trespass, provided that no person is allowed to enter upon immovable property owned by another, or remain in or upon property owned by another, without express, legal, or implied authorization.

New law retains prior law and adds the following definitions for purposes of prior law:

- (1) "Enter upon immovable property" and "remain in or upon property" include the operation of an unmanned aircraft system in the air space over immovable property owned by another with the intent to conduct surveillance of the property or of any individual lawfully on the property. This does not apply to any person operating an unmanned aircraft system in compliance with federal law.
- (2) "Unmanned aircraft system" (UAS) means an aircraft that is operated without the possibility of direct human intervention from on or within the aircraft. This does not apply to any person operating an unmanned aircraft system in compliance with federal law.

Prior law, relative to the crime of unlawful use of an unmanned aircraft system, applied unless it is preempted by applicable federal law or by regulations adopted by the Federal Aviation Administration(FAA).

New law deletes this provision of prior law and adds that prior law relative to the crime of unlawful use of an unmanned aircraft system does not apply to any person operating an unmanned aircraft system in compliance with FAA regulations or authorization or engaged in agricultural commercial operations.

Effective upon signature of the governor (June 17, 2016).

(Amends R.S. 14:63(B) and (C) and 337(D))