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)(2) and to enact R.S. 14:337(B)(3)(e) and (f), relative			
3	to the crime of unlawful use of an unmanned aircraft system; to provide for increased			
4	penalties; to provide for an 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)(2) is hereby amended and reenacted and R.S.			
7	14:337(B)(3)(e) and (f) are hereby enacted to read as follows:			
8	§337. Unlawful use of an unmanned aircraft system			
9	* * *			
10	B. As used in this Section, the following definitions shall apply:			
11	* * *			
12	(3) "Targeted facility" means the following systems:			
13	* * *			
14	(e) Critical infrastructure as defined by R.S. 14:61(B).			
15	(f) Grain elevators and grain storage facilities.			
16	* * *			
17	E.			
18	* * *			
19	(2) On a conviction for a second or subsequent offense as provided in			
20	Paragraph (A)(1) of this Section, the offender shall be fined not less than five			

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	hundred dollars nor more than two four thousand dollars, or imprisoned, with o		
2	without hard labor, for not less than six months nor more than one year two years,		
3	or both.		
4	* * *		
5	Section 2. This Act shall become effective upon signature by the governor or, if not		
6	signed by the governor, upon expiration of the time for bills to become law without signature		
7	by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If		

- 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
- 9 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 Engrossed	2021 Regular Session	Brass
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Abstract: Provides for increased penalties for unlawful use of an unmanned aircraft system.

Present law provides for the meaning of target facility.

<u>Proposed law</u> adds critical infrastructure, grain elevator, and grain storage facilities to what is meant by targeted facilities.

<u>Present law</u> (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.

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

<u>Present law</u> 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.

<u>Proposed law</u> increases the penalty for second and subsequent convictions to a fine of not less than \$500 and not more than \$4,000, imprisonment with or without hard labor for not less than six months and not more than two years, or both.

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

(Amends R.S. 14:337(E)(2); Adds R.S. 14:337(B)(3)(e) and (f))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Administration of</u> <u>Criminal Justice</u> to the <u>original</u> bill:
- 1. Make technical changes to the citations.
- 2. Add critical infrastructure, grain elevators, and grain storage facilities to the meaning of targeted facility.
- 3. Reinstate <u>present law</u> penalties for a first offense.
- 4. Change penalties for a second or subsequent offense.