

2024 Regular Session

HOUSE BILL NO. 915

BY REPRESENTATIVE WYBLE

AIRCRAFT/AVIATION: Prohibits the procurement of certain unmanned aircraft systems

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(24) and to enact R.S. 38:2262, relative to prohibitions  
3 on procurement using public funds of certain Chinese-made unmanned aircraft  
4 systems that pose threats to the security of the state and its infrastructure; to require  
5 the Governor's Office of Homeland Security and Emergency Preparedness to create  
6 and maintain a list of prohibited unmanned aircraft systems; to provide for  
7 confidentiality of certain records related to the development of the list; to provide for  
8 definitions; to provide for exceptions to public records law; and to provide for related  
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 38:2262 is hereby enacted to read as follows:

12 §2262. Unmanned aircraft systems; prohibited and cleared

13 A. For the purposes of this Section, the following words, terms, and phrases  
14 shall have the following meanings, unless the context clearly requires otherwise:

15 (1) "Cleared unmanned aircraft system" means those unmanned aircraft  
16 systems that are on the list of systems created and maintained by the Governor's  
17 Office of Homeland Security and Emergency Preparedness.

18 (2) "Prohibited unmanned aircraft system" means any drone or unmanned  
19 aircraft system whose purchase or acquisition by a federal agency or using federal

1 funds would be prohibited by Sections 1821-1832 of the American Security Drone  
2 Act of 2023 (P.L. 118-31).

3 (3) "Unmanned aircraft system" means an unmanned powered aircraft other  
4 than a satellite orbiting the Earth that does not carry a human operator, may be  
5 autonomous or remotely piloted or operated, and may be expendable or recoverable.

6 B. No public funds shall be used to purchase, lease, or otherwise acquire a  
7 prohibited unmanned aircraft system.

8 C. The Governor's Office of Homeland Security and Emergency  
9 Preparedness shall, on or before October 31, 2024, create a list of cleared unmanned  
10 aircraft systems that meet at least one of the following criteria:

11 (1) Cleared by the Department of Defense through its Blue UAS Program.

12 (2) Determined to be compliant with the requirements of the National  
13 Defense Authorization Act of 2024 (P.L. 118-31).

14 (3) Determined by the Governor's Office of Homeland Security and  
15 Emergency Preparedness to present no threat to the security of the state of Louisiana.

16 D. This list shall be updated at least every six months and those devices and  
17 vendors on the "cleared" list shall be preferred over others in public procurement  
18 actions.

19 E. After December 31, 2025, public funds may be used to procure only those  
20 unmanned aircraft systems that are cleared unmanned aircraft systems.

21 F. The "cleared" list of unmanned aircraft systems shall be a public  
22 document; however, all other documents related to its assessment and  
23 decision-making process shall be deemed confidential, security sensitive information  
24 pursuant to R.S. 29:725.2 and exempt from public disclosure.

25 Section 2. R.S. 44:4.1(B)(24) is hereby amended and reenacted to read as follows:

26 §4.1. Exceptions

27 \* \* \*

28 B. The legislature further recognizes that there exist exceptions, exemptions,  
29 and limitations to the laws pertaining to public records throughout the revised

1 statutes and codes of this state. Therefore, the following exceptions, exemptions, and  
2 limitations are hereby continued in effect by incorporation into this Chapter by  
3 citation:

4 \* \* \*

5 (24) R.S. 38:2212.1, 2220.3, 2262, 3053, 3104

6 \* \* \*

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 915 Original

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Wyble

**Abstract:** Prohibits procurement using public funds of certain Chinese-made unmanned aircraft systems that pose threats to the security of the state and its infrastructure and provides for the Governor's Office of Homeland Security and Emergency Preparedness to create and maintain a list of prohibited unmanned aircraft systems. Further provides for confidentiality of certain records related to the development of the list.

Proposed law provides definitions for certain terms used in proposed law.

Proposed law prohibits public funds from being used to procure a prohibited unmanned aircraft system.

Proposed law requires the Governor's Office of Homeland Security and Emergency Preparedness to create a list of unmanned aircraft systems of cleared devices and vendors for unmanned aircraft systems and provides for the list to be updated every six months.

Proposed law provides a date after which public funds can be used to procure only those unmanned aircraft systems on the cleared list.

Proposed law mandates that the cleared list be a public document and provides an exception to public records law for documents related to the determination of products on the cleared list. Additionally, proposed law adds this exception to the list of public records law exceptions in present law.

(Amends R.S. 44:4.1(B)(24); Adds R.S. 38:2262)