# 2024 Regular Session

#### HOUSE BILL NO. 167

#### BY REPRESENTATIVE BRASS

| 1  | AN ACT                                                                                   |
|----|------------------------------------------------------------------------------------------|
| 2  | To amend and reenact R.S. 14:337(A) and (E), relative to the unlawful use of an unmanned |
| 3  | aircraft system; to provide relative to the forfeiture of an unmanned aircraft system;   |
| 4  | and to provide for related matters.                                                      |
| 5  | Be it enacted by the Legislature of Louisiana:                                           |
| 6  | Section 1. R.S. 14:337(A) and (E) are hereby amended and reenacted to read as            |
| 7  | follows:                                                                                 |
| 8  | §337. Unlawful use of an unmanned aircraft system                                        |
| 9  | A.(1) Unlawful use of an unmanned aircraft system is either of the                       |
| 10 | following:                                                                               |
| 11 | (1) (a) The intentional use of an unmanned aircraft system to conduct                    |
| 12 | surveillance of, gather evidence or collect information about, or photographically or    |
| 13 | electronically record a targeted facility without the prior written consent of the owner |
| 14 | of the targeted facility.                                                                |
| 15 | (2) (b) The intentional use of an unmanned aircraft system over the grounds              |
| 16 | of a the governor's mansion, state or local jail, prison, or other correctional facility |
| 17 | that incarcerates or detains juveniles or adults accused of, convicted of, sentenced     |
| 18 | for, or adjudicated delinquent for violations of criminal law without the express        |
| 19 | written consent of the person in charge of that state building, state or local jail,     |
| 20 | prison, or other correctional facility.                                                  |
| 21 | (2) The unmanned aircraft system shall be seized by a law enforcement                    |
| 22 | officer in the course of arrest or issuance of summons or shall be seized by order of    |
| 23 | court pursuant to other provisions of law.                                               |
| 24 | * * *                                                                                    |
| 25 | E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft                  |
| 26 | system as provided in Paragraph Subparagraph (A)(1)(a) of this Section shall be          |
|    |                                                                                          |

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

| 1  | fined not more than five hundred dollars, or imprisoned for not more than six          |
|----|----------------------------------------------------------------------------------------|
| 2  | months, or both.                                                                       |
| 3  | (2) On a conviction for a second or subsequent offense as provided in                  |
| 4  | Paragraph Subparagraph (A)(1)(a) of this Section, the offender shall be fined not less |
| 5  | than five hundred dollars nor more than four thousand dollars, or imprisoned, with     |
| 6  | or without hard labor, for not less than six months nor more than two years, or both.  |
| 7  | In addition to the sentence imposed pursuant to this Paragraph, the court shall order  |
| 8  | the forfeiture of the unmanned aircraft system used in connection with the offense     |
| 9  | and provide for the destruction, sale, or other disposition of the unmanned aircraft   |
| 10 | system.                                                                                |
| 11 | (3) Whoever commits the crime of unlawful use of an unmanned aircraft                  |
| 12 | system as provided in Paragraph Subparagraph (A) $(2)$ (1)(b) of this Section shall be |
| 13 | fined not more than two thousand dollars, or imprisoned for not more than six          |
| 14 | months, or both.                                                                       |
| 15 | (4) On a conviction for a second or subsequent offense as provided in                  |
| 16 | Paragraph Subparagraph (A)(2)(1)(b) of this Section, the offender shall be fined not   |
| 17 | less than two thousand dollars nor more than five thousand dollars, or imprisoned,     |
| 18 | with or without hard labor, for not more than one year, or both.                       |
| 19 | * * *                                                                                  |

## SPEAKER OF THE HOUSE OF REPRESENTATIVES

### PRESIDENT OF THE SENATE

## GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_