

ACT No. 170

HOUSE BILL NO. 261

BY REPRESENTATIVES GALLE, BAYHAM, BERAULT, BILLINGS, CARRIER, ROBBY CARTER, CARVER, CHENEVERT, COX, DEVILLIER, DICKERSON, EGAN, GLORIOSO, HORTON, MIKE JOHNSON, JACOB LANDRY, MCMAKIN, MOORE, OWEN, TAYLOR, AND WYBLE

1 AN ACT

2 To enact R.S. 14:337(B)(5) and (6) and (G) and 337.1, relative to offenses affecting the
3 public generally; to provide relative to the crime of unlawful use of an unmanned
4 aircraft system; to provide for definitions; to provide for duties of law enforcement;
5 to create the crime of unlawful use of an unmanned aircraft system at a parade; to
6 provide for elements; to provide for penalties; to provide for exceptions; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:337(B)(5) and (6) and (G) and 337.1 are hereby enacted to read
10 as follows:

11 §337. Unlawful use of an unmanned aircraft system

12 * * *

13 B. As used in this Section, the following definitions shall apply:

14 * * *

15 (5) "Mitigation measures" mean actions, such as jamming, that are taken to
16 cause electronic interference to neutralize, intercept, disable, or disrupt an unmanned
17 aircraft system in order to prevent illegal or harmful activity.

18 (6) "Nefarious manner" means an illegal, dangerous, or harmful purpose in
19 which an unmanned aircraft system is used. Such purpose may include but is not
20 limited to spying, smuggling contraband as defined in R.S. 14:402, facilitating
21 criminal activity, or posing a direct threat to public safety.

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G.(1) A law enforcement officer or agency may take reasonable and necessary mitigation measures against a threat posed by an unmanned aircraft system operating within this state in a nefarious manner. Such measures may include but not be limited to any of the following:

(a) The use of detection, tracking, and identification methods.

(b) The interception or disabling of an unmanned aircraft system through legal and safe methods, including but not limited to jamming, hacking, or physical capture.

(2) A law enforcement officer or agency shall act pursuant to Paragraph (1) of this Subsection only if there is reasonable suspicion that the unmanned aircraft system is involved in criminal activity, poses an imminent threat to public safety, or is otherwise operating in violation of state or federal law.

§337.1. Unlawful use of an unmanned aircraft system at a parade

A. Unlawful use of an unmanned aircraft system at a parade is the intentional use of an unmanned aircraft system by an unauthorized person over any parade or parade route for which a permit is issued by a governmental entity.

B. As used in this Section, the following definitions shall apply:

(1) "Parade" means any celebration of Mardi Gras or directly related pre-Lenten or carnival related festivities, school parades, parish parades, state parades or municipal parades, or any demonstration for which a permit is issued by a governmental entity.

(2) "Parade route" means any public sidewalk, street, highway, bridge, alley, road, or other public passageway upon which a parade travels.

C. Whoever commits the crime of unlawful use of an unmanned aircraft system at a parade shall be fined not less than two thousand dollars nor more than five thousand dollars, imprisoned with or without hard labor for not more than one year, or both. In addition to the sentence imposed pursuant to this Paragraph, the court shall order the forfeiture of the unmanned aircraft system used in connection

1 with the offense and provide for the destruction, sale, or other disposition of the
2 unmanned aircraft system.

3 D. Notice of the area known as the "Drone No Fly Zone" shall be posted
4 along the parade route and may be announced through the use of local media outlets
5 or social media platforms.

6 E. Lack of knowledge that the prohibited act occurred on or within the
7 parade or parade route shall not be a defense.

8 F. The provisions of this Section shall not apply to unmanned aircraft
9 systems used for motion picture, television, or similar production where the filming
10 is authorized.

11 Section 2. This Act shall be known and may be cited as the "We Will Act" Act.

12 Section 3. The Louisiana State Law Institute is hereby authorized and directed to
13 alphabetize and renumber the definitions contained in R.S. 14:337(B) and to correct any
14 cross-references to the renumbered paragraphs if necessary, consistent with the provisions
15 of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____