

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 1029 by Representative Terry Landry

CRIME: Creates the crime of unlawful aiming of a laser at an aircraft and creates the crime of unlawful use of an unmanned aircraft system

Synopsis of Senate Amendments

1. Creates the crime of unlawful use of an unmanned aircraft system to conduct surveillance or gather information about petroleum and alumina refineries, chemical and rubber manufacturing facilities, or nuclear power electric generation facilities, and provides for criminal penalties.
2. Creates an exception for unmanned aircraft systems used for motion picture, television, or similar production where filming is authorized by the property owner.

Digest of Bill as Finally Passed by Senate

Proposed law defines the crime of unlawful aiming of a laser at an aircraft as the intentional projection of a laser on or at an aircraft or at the flight path of an aircraft in the aircraft jurisdiction of the state of Louisiana.

Proposed law defines "laser" and "police officer".

Proposed law provides penalties of imprisonment with or without hard labor for not less than one nor more than five years, and a fine of \$2,000. For second or subsequent offenses, the offender shall be imprisoned with or without hard labor for not less than two years nor more than ten years and shall be fined \$4,000.

Proposed law creates the crime of unlawful use of an unmanned aircraft system, which is defined as the intentional 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.

Proposed law defines "unmanned aircraft system" as an unmanned, powered aircraft that does not carry a human operator, can be autonomous or remotely piloted or operated, and can be expendable or recoverable, but does not include any of the following:

- (1) A satellite orbiting the earth.
- (2) An unmanned aircraft system used by the federal government or a person who is acting pursuant to contract with the federal government to conduct surveillance of specific activities.
- (3) An unmanned aircraft system used by the state government or a person who is acting pursuant to a contract with the state government to conduct surveillance of specific activities.
- (4) An unmanned aircraft system used by a local government law enforcement agency or fire department.

Proposed law defines "targeted facility" as any of the following systems:

- (1) Petroleum and alumina refineries.

- (2) Chemical and rubber manufacturing facilities.
- (3) Nuclear power electric generation facilities.

Provides that proposed law does not prohibit a person from using an unmanned aircraft system to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record his own property that is:

- (1) Located on his own immovable property.
- (2) Located on immovable property owned by another under a valid lease, servitude, right-of-way, right of use, permit, license, or other right.

Proposed law provides that third persons retained by the owner of the property described in these exceptions to proposed law are not to be prohibited from using an unmanned aircraft system to conduct the activities described in proposed law.

Proposed law would be effective and apply only if not preempted by federal law.

Proposed law provides that whoever commits the crime of unlawful use of an unmanned aircraft system is to be fined up to \$500, or imprisoned up to six months, or both. Proposed law further provides that on a conviction for a second or subsequent offense, the offender is to be fined between \$500 and \$2,000, imprisoned with or without hard labor for between six months and one year, or both.

Proposed law provides an exception for unmanned aircraft systems used for motion picture, television, or similar production where filming is authorized by the property owner.

(Adds R.S. 14:336 and 337)