

BILL ANALYSIS

S.B. 149
By: Powell
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the use of unmanned drones over certain critical infrastructure facilities in Texas, such as airports and military installations. Although the Federal Aviation Administration maintains guidelines restricting the use of drones above the airspace of a military installation, there are no federal guidelines that refer to physical contact with the installation or its normal operations. There have been calls to improve the security of the state's military installations and to ensure the safety of the men and women serving at those installations. S.B. 149 seeks to address this issue by including these facilities among those designated as critical infrastructure facilities for certain purposes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 149 amends the Government Code to designate the following as critical infrastructure facilities for purposes of the offense of operation of an unmanned aircraft over certain critical infrastructure facilities:

- a public or private airport depicted in any current aeronautical chart published by the Federal Aviation Administration; and
- a military installation owned or operated by or for the federal government, the state, or another governmental entity.

The designation applies only to these facilities if completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders or, if clearly marked with a sign or signs that are posted on the property, are reasonably likely to come to the attention of intruders, and indicate that entry is forbidden.

EFFECTIVE DATE

September 1, 2021.