

## **BILL ANALYSIS**

Senate Research Center  
84R24832 JRR-D

H.B. 1481  
By: Murphy et al. (Birdwell)  
Veteran Affairs & Military Installations-S/C Border Security  
5/14/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties note that the Federal Aviation Administration advises pilots against circling or entering the airspace above nuclear, hydro-electric, or coal-fired power plants, dams, refineries, industrial complexes, military facilities, and similar sites. However, these parties assert that these regulations serve only as a guideline for pilots and aircraft operators and have no means of enforcement for remotely piloted vehicles. These parties contend that the increasing use of these vehicles poses a significant safety and security risk for critical state infrastructure and that establishing state guidelines, enforceable by law, will reduce the risk of accidents and prevent intentional harm. H.B. 1481 seeks to address this issue.

H.B. 1481 amends current law to prohibit the operation of an unmanned aircraft over certain facilities and creates a criminal offense.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 423, Government Code, by adding Section 423.0045, as follows:

Sec. 423.0045. OFFENSE: OPERATION OF UNMANNED AIRCRAFT OVER CRITICAL INFRASTRUCTURE FACILITY. (a) Defines “critical infrastructure facility” and “dam.”

(b) Provides that a person commits an offense if the person intentionally or knowingly:

(1) operates an unmanned aircraft over a critical infrastructure facility and the unmanned aircraft is not higher than 400 feet above ground level;

(2) allows an unmanned aircraft to make contact with a critical infrastructure facility, including any person or object on the premises of or within the facility; or

(3) allows an unmanned aircraft to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility.

(c) Provides that this section does not apply to conduct described by Subsection (b) that is committed by persons and entities as set forth.

(d) Provides that an offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted under this section.

SECTION 2. Effective date: September 1, 2015.