

1 ENGROSSED HOUSE  
2 BILL NO. 2599

By: Wood of the House

3 and

4 Sharp of the Senate  
5

6 An Act relating to unmanned aircraft; defining terms;  
7 prohibiting operation of an unmanned aircraft over a  
8 critical infrastructure facility; excepting conduct  
9 of specified entities or persons; prescribing  
10 punishment for violation; providing for codification;  
and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 322 of Title 3, unless there is  
14 created a duplication in numbering, reads as follows:

15 A. As used in this section:

16 1. "Critical infrastructure facility" means:

17 a. one of the following, if completely enclosed by a  
18 fence or other physical barrier that is obviously  
19 designed to exclude intruders, or if clearly marked  
20 with a sign or signs that are posted on the property,  
21 are reasonably likely to come to the attention of  
22 intruders, and indicate that entry is forbidden:

23 (1) a petroleum or alumina refinery,  
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- (2) an electrical power generating facility,  
substation, switching station or electrical  
control center,
- (3) a chemical, polymer or rubber manufacturing  
facility,
- (4) a water intake structure, water treatment  
facility, wastewater treatment plant or pump  
station,
- (5) a natural gas compressor station,
- (6) a liquid natural gas terminal or storage  
facility,
- (7) a telecommunications central switching office,
- (8) wireless telecommunications infrastructure,  
including cell towers,
- (9) a port, railroad switching yard, trucking  
terminal or other freight transportation  
facility,
- (10) a gas processing plant, including a plant used in  
the processing, treatment or fractionation of  
natural gas or natural gas liquids,
- (11) a transmission facility used by a federally  
licensed radio or television station,
- (12) a steelmaking facility that uses an electric arc  
furnace to make steel,

1 (13) a facility identified and regulated by the United  
2 States Department of Homeland Security Chemical  
3 Facility Anti-Terrorism Standards (CFATS)  
4 program,

5 (14) a dam that is regulated by the state or federal  
6 government, or

7 (15) a natural gas distribution utility facility,  
8 including, but not limited to, pipeline  
9 interconnections, a city gate or town border  
10 station, metering station, aboveground piping, a  
11 regulator station and a natural gas storage  
12 facility, or

13 b. any aboveground portion of an oil, gas, hazardous  
14 liquid or chemical pipeline that is enclosed by a  
15 fence or other physical barrier that is obviously  
16 designed to exclude intruders;

17 2. "Dam" means any barrier, including any appurtenant  
18 structures, that is constructed for the purpose of permanently or  
19 temporarily impounding water; and

20 3. "Unmanned aircraft" means an aircraft without occupants that  
21 is flown by a pilot via a ground control system or autonomously  
22 through use of an onboard computer and other additional equipment  
23 necessary to operate the aircraft and includes unmanned aircraft  
24 commonly called drones.

1       B. Except as provided in subsection C of this section, a person  
2 shall not intentionally or knowingly:

3       1. Operate an unmanned aircraft over a critical infrastructure  
4 facility if the unmanned aircraft is less than four hundred (400)  
5 feet above ground level;

6       2. Allow an unmanned aircraft to make contact with a critical  
7 infrastructure facility, including any person or object on the  
8 premises of or within the facility; or

9       3. Allow an unmanned aircraft to come within a distance of a  
10 critical infrastructure facility that is close enough to interfere  
11 with the operations of or cause a disturbance to the facility.

12       C. This section shall not apply to conduct committed by:

13       1. The federal government, the state or a political subdivision  
14 of the state;

15       2. A person under contract with or otherwise acting under the  
16 direction or on behalf of the federal government, the state or a  
17 political subdivision of the state;

18       3. A law enforcement agency;

19       4. A person under contract with or otherwise acting under the  
20 direction or on behalf of a law enforcement agency;

21       5. An owner or operator of the critical infrastructure  
22 facility;

1       6. A person under contract with or otherwise acting under the  
2 direction or on behalf of an owner or operator of the critical  
3 infrastructure facility;

4       7. A person who has the prior written consent of the owner or  
5 operator of the critical infrastructure facility;

6       8. The owner or occupant of the property on which the critical  
7 infrastructure facility is located or a person who has the prior  
8 written consent of the owner or occupant of that property; or

9       9. An operator of an unmanned aircraft that is being used for a  
10 commercial purpose, if the operator is authorized by the Federal  
11 Aviation Administration to conduct operations over that airspace.

12       D. Any violation of this section shall be a misdemeanor,  
13 punishable upon conviction by a fine of not more than Five Hundred  
14 Dollars (\$500.00) or by imprisonment in the county jail not to  
15 exceed one (1) year, or by both such fine and imprisonment.

16       SECTION 2. This act shall become effective November 1, 2016.  
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1 Passed the House of Representatives the 8th day of March, 2016.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

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8 Presiding Officer of the Senate