

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1326

By: Murdock

COMMITTEE SUBSTITUTE

An Act relating to unmanned aircraft; defining terms;
prohibiting operation of unmanned aircraft over
private agricultural property; providing exceptions;
prescribing punishment for violation; providing for
codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 323 of Title 3, unless there is
created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Agricultural property" means land which is primarily used
for farming, ranching, hunting, fishing or forestry purposes; and

2. "Unmanned aircraft" means an aircraft without occupants that
is flown by a pilot via a ground control system or autonomously
through use of an onboard computer, communication links and other
additional equipment necessary to operate the aircraft and includes
unmanned aircraft commonly called drones.

1 B. Except as provided in subsection C of this section, a person
2 shall not intentionally or knowingly operate an unmanned aircraft
3 over the private agricultural property of another.

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

5 1. The federal government, the state or a political subdivision
6 of the state;

7 2. A person under contract with or otherwise acting under the
8 direction or on behalf of the federal government, the state or a
9 political subdivision of the state;

10 3. A law enforcement agency;

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

13 5. A person who has the prior written consent of the property
14 owner or legal tenant or lessee of the property; or

15 6. A public utility or oil and gas company primarily engaged in
16 commercial operations for the production, sale and distribution of
17 electricity, oil or natural gas, or any person or persons under
18 contract or at the direction or on behalf of the public utility or
19 oil and gas company that have an existing easement or right-of-way
20 and have notified the owner of the property in advance.

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

SECTION 2. This act shall become effective November 1, 2017.

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