

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1326

By: Murdock

7
8 COMMITTEE SUBSTITUTE

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

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

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

18 A. As used in this section:

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

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

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

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

7 1. The federal government, the state or a political subdivision
8 of the state;

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

12 3. A law enforcement agency;

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

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

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

23 D. Any violation of this section shall be a misdemeanor,
24 punishable upon conviction by a fine of not more than Five Hundred

1 Dollars (\$500.00) or by imprisonment in the county jail not to
2 exceed one (1) year, or by both such fine and imprisonment.

3 SECTION 2. This act shall become effective November 1, 2017.
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5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL JUSTICE AND
6 CORRECTIONS, dated 02/16/2017 - DO PASS, As Amended.
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