

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1326

By: Murdock of the House and Paxton of the Senate

Title: Unmanned aircraft; prohibiting operation of unmanned aircraft over private agricultural property; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

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| Paxton | _____ |
| Boggs | _____ |
| Brecheen | _____ |
| Shaw | _____ |
| Jech | _____ |
| Sparks | _____ |
| Bass | _____ |

House Action _____ Date _____ Senate Action _____ Date _____

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1326

By: Murdock of the House

and

Paxton of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to unmanned aircraft; defining terms; prohibiting operation of unmanned aircraft over private agricultural property; providing exceptions; defining certain notice; limiting certain notice requirement; prescribing certain conduct not authorized; 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

1 through use of an onboard computer, communication links and other
2 additional equipment necessary to operate the aircraft and includes
3 unmanned aircraft commonly called drones.

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

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

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

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

13 3. A law enforcement agency;

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

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

18 6. A public utility or oil and gas company primarily engaged in
19 commercial operations for the production, sale and distribution of
20 electricity, oil or natural gas, or any person or persons under
21 contract or at the direction or on behalf of the public utility or
22 oil and gas company that have an existing easement or right-of-way
23 and have notified the owner of the property. Prominently displaying
24 or erecting a sign or language reasonably calculated to communicate

1 to the owner of the property the identity of the company and
2 description of the activity during and in close proximity to the
3 actual operation of the unmanned aircraft shall be deemed sufficient
4 notice under this paragraph. Such notice shall not be required when
5 the operation of the unmanned aircraft is being performed to assess
6 the location of actual outage on any electric delivery
7 infrastructure; or

8 7. An operator of an unmanned aircraft that is being used for a
9 commercial purpose, provided that the operator is authorized by the
10 Federal Aviation Administration to conduct the operation.

11 D. Nothing in subsection C of this section shall purport to
12 authorize conduct which would constitute an unreasonable search or
13 seizure under the Fourth Amendment of the United States Constitution
14 or Section 30 of Article II of the Oklahoma Constitution.

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

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