

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3171 By: Phillips of the House
3
and
4
Bergstrom of the Senate
5
6

7 An Act relating to crimes and punishments;
8 prohibiting unlawful uses of drones; making violation
a misdemeanor; providing exceptions; providing for
9 codification; and providing an effective date.
10

11 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert
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13 "An Act relating to crimes and punishments;
14 prohibiting unlawful uses of drones; making violation
a misdemeanor; providing exceptions; providing for
15 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1743 of Title 21, unless there
19 is created a duplication in numbering, reads as follows:

20 A. No person using an unmanned aircraft system (UAS) or drone,
21 as defined by the Federal Aviation Administration, shall, except as
22 authorized by law:
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1 1. Trespass onto private property or into airspace within four
2 hundred (400) feet above ground level with the intent to subject
3 anyone to eavesdropping or other surveillance;

4 2. Install on private property, without the consent of the
5 owner or lessee, any device for observing, photographing, recording,
6 amplifying, or broadcasting sounds or events on such property, or
7 use any such unauthorized installation;

8 3. Intentionally use a drone to photograph, record, or
9 otherwise observe another person in any place where the person has a
10 reasonable expectation of privacy; or

11 4. Intentionally land a drone on the lands or waters that are
12 the private property of another without the consent of the owner or
13 lessee.

14 B. A person who violates this act is guilty of a misdemeanor.

15 Paragraph 3 of subsection A of this section shall not apply to a
16 drone operator operating a drone for a bona fide business or bona
17 fide government purpose who unintentionally or incidentally
18 photographs, records, or otherwise observes another person in a
19 private place, nor shall it apply to a designated emergency
20 management worker or government employee or contractor operating a
21 drone within the scope of his or her lawful duties of employment.

22 Paragraph 4 of subsection A shall not apply to the landing of a
23 drone required in the interest of safety or otherwise in an
24 emergency such as to avoid collision with a person or property.

SECTION 2. This act shall become effective November 1, 2022."

Passed the Senate the 26th day of April, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2022.

Presiding Officer of the House
of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 3171

By: Phillips of the House

and

Bergstrom of the Senate

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7 An Act relating to crimes and punishments;
8 prohibiting unlawful uses of drones; making violation
9 a misdemeanor; providing exceptions; providing for
10 codification; and providing an effective date.

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

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1743 of Title 21, unless there
14 is created a duplication in numbering, reads as follows:

15 A. No person using an Unmanned Aircraft System (UAS) or drone,
16 as defined by the Federal Aviation Administration, may, except as
17 authorized by law:

18 1. Trespass on property with intent to subject anyone to
19 eavesdropping or other surveillance in a private place;

20 2. Install in any private place, without the consent of the
21 person or persons entitled to privacy there, any device for
22 observing, photographing, recording, amplifying, or broadcasting
23 sounds or events in such place, or use any such unauthorized
24 installation;

1 3. Intentionally use a drone to photograph, record, or
2 otherwise observe another person in a private place where the person
3 has a reasonable expectation of privacy; or

4 4. Land a drone on the lands or waters of another resident
5 provided the resident owns the land beneath the water body in its
6 entirety without the owner's consent.

7 B. A person who violates this act is guilty of a misdemeanor.
8 Paragraphs 2 and 3 of subsection A of this section do not apply to
9 law enforcement officers, or to those acting under the direction of
10 a law enforcement officer, while engaged in the performance of the
11 officers' lawful duties. Paragraph 3 of subsection A of this
12 section does not apply to a drone operator operating a drone for
13 bona fide business or bona fide government purposes who
14 unintentionally or incidentally photographs, records, or otherwise
15 observes another person in a private place, nor does it apply to a
16 designated emergency management worker operating a drone within the
17 scope of the worker's duties.

18 SECTION 4. This act shall become effective November 1, 2022.
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1 Passed the House of Representatives the 15th day of March, 2022.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2022.

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7 _____
8 Presiding Officer of the Senate