

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3068

By: Banning

AS INTRODUCED

An Act relating to state government; defining terms; prohibiting purchase of small unmanned aircraft systems manufactured by certain foreign entities; prohibiting operation of small unmanned aircraft systems manufactured by certain foreign entities after certain date; providing exceptions; 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 12101 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Covered foreign entity" means an individual, foreign government, or a party other than an individual or foreign government:

- a. on the Consolidated Screening List or Entity List as designated by the United States Secretary of Commerce,
- b. domiciled in the People's Republic of China or the Russian Federation,

1 c. under the influence or control by the government of
2 the People's Republic of China or the Russian
3 Federation, or

4 d. that is a subsidiary or affiliate of an individual,
5 government, or party described in subparagraphs a, b,
6 and c of this paragraph;

7 2. "Public entity" means the State of Oklahoma or a political
8 subdivision of the state, including all boards, authorities,
9 commissions, agencies, committees, councils, or departments; and

10 3. "Small unmanned aircraft system" means an unmanned, powered
11 aircraft:

12 a. that:

13 (1) is operated without the possibility of direct
14 human intervention from within or on the
15 aircraft,

16 (2) can be expendable or recoverable, and

17 (3) weighs less than fifty-five (55) pounds,
18 including the weight of anything attached to or
19 carried by the aircraft, and

20 b. including the associated elements that are required
21 for the operator to operate the aircraft safely and
22 efficiently in the National Airspace System, including
23 without limitation any communication links and the
24 components that control the aircraft.

1 B. 1. A public entity shall not purchase a small unmanned
2 aircraft system that is manufactured or assembled by a covered
3 foreign entity.

4 2. Unless waived under subsection D of this section, state
5 funds shall not be used to purchase a small unmanned aircraft system
6 that is manufactured or assembled by a covered foreign entity,
7 including without limitation state funds:

8 a. awarded through a contract, grant, or cooperative
9 agreement, or

10 b. otherwise made available.

11 C. 1. On or after May 1, 2027, a public entity shall not
12 operate a small unmanned aircraft system manufactured or assembled
13 by a covered foreign entity.

14 2. Except as provided under subsection D of this section, state
15 funds shall not be used in connection with the operation of a small
16 unmanned aircraft system that is manufactured or assembled by a
17 covered foreign entity, including without limitation state funds:

18 a. awarded through a contract, grant, or cooperative
19 agreement, or

20 b. otherwise made available.

21 D. The Office of Management and Enterprise Services may waive
22 the restriction of this section upon:

23 1. Review of the necessity to purchase a small unmanned
24 aircraft system that is manufactured or assembled by a covered
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1 foreign entity due to exigent circumstances, Counter-Unmanned
2 Aircraft Systems, or a criminal investigative purpose; and

3 2. Notification to the Legislature.

4 SECTION 2. This act shall become effective November 1, 2024.

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