

By: Birdwell

S.B. No. 1197

A BILL TO BE ENTITLED

AN ACT

relating to the operation of an unmanned aircraft over a spaceport;
creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 42.15, Penal Code, is amended to read as follows:

Sec. 42.15. OPERATION OF UNMANNED AIRCRAFT OVER AIRPORT,
~~[OR]~~ MILITARY INSTALLATION, OR SPACEPORT.

SECTION 2. Section 42.15(a), Penal Code, is amended by adding Subdivision (3) to read as follows:

(3) "Spaceport" means any property or facility that is:

(A) used for the launch, landing, or recovery of spacecraft, as defined by Section 507.001, Local Government Code; and

(B) licensed by the Federal Aviation Administration or operated by a spaceport development corporation under Chapter 507, Local Government Code.

SECTION 3. Sections 42.15(b) and (c), Penal Code, are amended to read as follows:

(b) A person commits an offense if the person intentionally or knowingly:

(1) operates an unmanned aircraft over an airport,
~~[or]~~ military installation, or spaceport;

1 (2) allows an unmanned aircraft to make contact with
2 an airport, ~~[or]~~ military installation, or spaceport, including any
3 person or object on the premises of or within the airport, ~~[or]~~
4 military installation, or spaceport; or

5 (3) operates an unmanned aircraft in a manner that
6 interferes with the operations of or causes a disturbance to an
7 airport, ~~[or]~~ military installation, or spaceport.

8 (c) It is a defense to prosecution under this section that
9 the conduct described by Subsection (b) was engaged in by:

10 (1) the federal government, this state, or a
11 governmental entity;

12 (2) a person under contract with or otherwise acting
13 under the direction or on behalf of the federal government, this
14 state, or a governmental entity;

15 (3) a law enforcement agency;

16 (4) a person under contract with or otherwise acting
17 under the direction or on behalf of a law enforcement agency;

18 (5) an owner or operator of the airport, ~~[or]~~ military
19 installation, or spaceport;

20 (6) a person under contract with or otherwise acting
21 under the direction or on behalf of an owner or operator of the
22 airport, ~~[or]~~ military installation, or spaceport;

23 (7) a person who has the prior written or electronic
24 authorization of:

25 (A) the owner or operator of the airport, ~~[or]~~
26 military installation, or spaceport; or

27 (B) the Federal Aviation Administration; or

1 (8) the owner or occupant of the property on which the
2 airport, ~~[or]~~ military installation, or spaceport is located or a
3 person who has the prior written consent of the owner or occupant of
4 that property.

5 SECTION 4. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect on the date the offense was committed,
9 and the former law is continued in effect for that purpose. For
10 purposes of this section, an offense was committed before the
11 effective date of this Act if any element of the offense occurred
12 before that date.

13 SECTION 5. This Act takes effect September 1, 2025.