

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 83rd Legislature, Regular Session, 2013, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 912 (images captured by
6 unmanned aircraft and other images and recordings; providing
7 penalties) to consider and take action on the following matters:

8 (1) House Rule 13, Section 9(a)(1), is suspended to permit
9 the committee to change text not in disagreement in proposed
10 SECTION 2 of the bill, in added Section 423.002(a), Government
11 Code, to read as follows:

12 (a) It is lawful to capture an image by an unmanned aircraft
13 in this state:

14 Explanation: This change is necessary to address grammatical
15 and other inconsistencies created by senate amendments to this
16 section.

17 (2) House Rule 13, Sections 9(a)(1) and (2), are suspended
18 to permit the committee to change and omit text not in disagreement
19 in proposed SECTION 2 of the bill, in added Section 423.002(a)(4),
20 Government Code, to read as follows:

21 (4) by a satellite for the purposes of mapping;

22 Explanation: This change is necessary to delete unnecessary
23 text.

24 (3) House Rule 13, Section 9(a)(2), is suspended to permit

1 the committee to omit text not in disagreement in proposed SECTION 2
2 of the bill, in added Section 423.002(a), Government Code, by
3 omitting proposed Subdivisions (5) and (6), which read as follows:

4 (5) by a manufacturer or distributor of the unmanned
5 vehicle or unmanned aircraft in connection with the development,
6 manufacture, testing, or research of the vehicle or the aircraft;

7 (6) by a manufacturer or distributor incidental to the
8 activities authorized under Subdivision (5) and the manufacturer or
9 distributor discloses the image voluntarily to law enforcement
10 because the manufacturer or distributor reasonably believes the
11 image shows the commission of an offense;

12 Explanation: The omission of the text is necessary to remove
13 exceptions to the application of the chapter.

14 (4) House Rule 13, Section 9(a)(2), is suspended to permit
15 the committee to omit text not in disagreement in proposed SECTION 2
16 of the bill, in added Section 423.003(a), Government Code, by
17 omitting proposed Subdivision (2), which reads as follows:

18 (2) real property in this state, on which a primary or
19 secondary school or a licensed child-care facility is operated or
20 an individual located on that property, with the intent to conduct
21 surveillance

22 Explanation: This change is necessary to remove an offense.

23 (5) House Rule 13, Section 9(a)(4), is suspended to permit
24 the committee to add text on a matter which is not included in
25 either the house or the senate version of the bill by adding the
26 following text to SECTION 2 of the bill:

27 Sec. 423.008. REPORTING BY LAW ENFORCEMENT AGENCY. (a) No

1 earlier than January 1 and no later than January 15 of each
2 odd-numbered year, a municipal or county law enforcement agency
3 located in a city or county with a population greater than 150,000,
4 or a state law enforcement agency, that used or operated an unmanned
5 aircraft during the preceding 24 months shall issue a written
6 report to each member of the Texas Legislature, including the
7 Governor and Lieutenant Governor, retain the report for public
8 viewing and post the report on the law enforcement agency's
9 publicly accessible website, if one exists. The report shall
10 contain:

11 (a) the number of times an unmanned aircraft was operated,
12 organized by date, time, location, types of incidents, and the
13 types of justification for operation;

14 (b) the number of criminal investigations aided by the
15 operation of an unmanned aircraft and a description of how the
16 unmanned aircraft aided each investigation;

17 (c) the date, location, and number of times an unmanned
18 aircraft was operated for reasons other than a criminal
19 investigation and a description of how the unmanned aircraft aided
20 each operation;

21 (d) the frequency and type of information collected on an
22 individual, residence, property or area that was not the subject of
23 an operation; and

24 (e) the total cost of acquisition, maintenance, repair, and
25 operation the unmanned aircraft or unmanned aircrafts for the
26 preceding 24 months.

27 Explanation: This addition is necessary to provide for a

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1 publicly available report regarding law enforcement use of unmanned
2 aircraft in this state.

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Speaker of the House

I certify that H.R. No. 3035 was adopted by the House on May 26, 2013, by the following vote: Yeas 136, Nays 4, 2 present, not voting.

Chief Clerk of the House