

Suspending limitations on conference committee
jurisdiction, H.B. No. 912

By: Estes

S.R. No. 1084

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 83rd Legislature, Regular Session, 2013, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 912 (images captured by unmanned aircraft and other images and recordings; providing penalties) to consider and take action on the following matters:

(1) Senate Rule 12.03(1) is suspended to permit the committee to change text not in disagreement in proposed SECTION 2 of the bill, in added Section 423.002(a), Government Code, to read as follows:

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

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

(2) Senate Rules 12.03(1) and (2) are suspended to permit the committee to change and omit text not in disagreement in proposed SECTION 2 of the bill, in added Section 423.002(a)(4), Government Code, to read as follows:

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

Explanation: This change is necessary to delete unnecessary text.

(3) Senate Rule 12.03(2) is suspended to permit the

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

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

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

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

(4) Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in proposed SECTION 2 of the bill, in added Section 423.003(a), Government Code, by omitting proposed Subdivision (2), which reads as follows:

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

Explanation: This change is necessary to remove an offense.

(5) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter which is not included in either the house or the senate version of the bill by adding the

following text to SECTION 2 of the bill:

Sec. 423.008. REPORTING BY LAW ENFORCEMENT AGENCY.

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

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

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

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

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

(e) the total cost of acquisition, maintenance, repair, and operation the unmanned aircraft or unmanned aircrafts for the

preceding 24 months.

Explanation: This addition is necessary to provide for a publicly available report regarding law enforcement use of unmanned aircraft in this state.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate