

Suspending limitations on conference committee  
jurisdiction, H.B. No. 912 (Gooden/Estes)

By: Estes

S.R. No. 1084

R E S O L U T I O N

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

8 (1) Senate Rule 12.03(1) is suspended to permit the  
9 committee to change text not in disagreement in proposed SECTION 2  
10 of the bill, in added Section 423.002(a), Government Code, to read  
11 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) Senate Rules 12.03(1) and (2) are suspended to permit  
18 the committee to change and omit text not in disagreement in  
19 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) Senate Rule 12.03(2) is suspended to permit the

1 committee to omit text not in disagreement in proposed SECTION 2 of  
2 the bill, in added Section 423.002(a), Government Code, by omitting  
3 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) Senate Rule 12.03(2) is suspended to permit the  
15 committee to omit text not in disagreement in proposed SECTION 2 of  
16 the bill, in added Section 423.003(a), Government Code, by omitting  
17 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) Senate Rule 12.03(4) is suspended to permit the  
24 committee to add text on a matter which is not included in either  
25 the house or the senate version of the bill by adding the following  
26 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.