

By: Springer

H.B. No. 1643

Substitute the following for H.B. No. 1643:

By: Nevárez

C.S.H.B. No. 1643

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of operation of an
3 unmanned aircraft over certain facilities.

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

5 SECTION 1. Section 423.0045(a)(1), Government Code, is
6 amended to read as follows:

7 (1) "Critical infrastructure facility" means:

8 (A) one of the following, if completely enclosed
9 by a fence or other physical barrier that is obviously designed to
10 exclude intruders, or if clearly marked with a sign or signs that
11 are posted on the property, are reasonably likely to come to the
12 attention of intruders, and indicate that entry is forbidden:

13 (i) a petroleum or alumina refinery;

14 (ii) an electrical power generating
15 facility, substation, switching station, or electrical control
16 center;

17 (iii) a chemical, polymer, or rubber
18 manufacturing facility;

19 (iv) a water intake structure, water
20 treatment facility, wastewater treatment plant, or pump station;

21 (v) a natural gas compressor station;

22 (vi) a liquid natural gas terminal or
23 storage facility;

24 (vii) a telecommunications central

1 switching office or any structure used as part of a system to
2 provide wired or wireless telecommunications services;

3 (viii) a port, railroad switching yard,
4 trucking terminal, or other freight transportation facility;

5 (ix) a gas processing plant, including a
6 plant used in the processing, treatment, or fractionation of
7 natural gas;

8 (x) a transmission facility used by a
9 federally licensed radio or television station;

10 (xi) a steelmaking facility that uses an
11 electric arc furnace to make steel; [~~or~~]

12 (xii) a dam that is classified as a high
13 hazard by the Texas Commission on Environmental Quality; or

14 (xiii) a concentrated animal feeding
15 operation, as defined by Section 26.048, Water Code; or

16 (B) any portion of an aboveground oil, gas, or
17 chemical pipeline that is enclosed by a fence or other physical
18 barrier that is obviously designed to exclude intruders.

19 SECTION 2. The change in law made by this Act applies only
20 to an offense committed on or after the effective date of this Act.
21 An offense committed before the effective date of this Act is
22 governed by the law in effect on the date the offense was committed,
23 and the former law is continued in effect for that purpose. For
24 purposes of this section, an offense was committed before the
25 effective date of this Act if any element of the offense occurred
26 before that date.

27 SECTION 3. This Act takes effect September 1, 2017.