

By: Murphy

H.B. No. 3082

A BILL TO BE ENTITLED

AN ACT

relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities.

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

SECTION 1. Section 423.0045, Government Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A person commits an offense if the person with criminal negligence [~~intentionally or knowingly~~]:

(1) operates an unmanned aircraft over a correctional facility, detention facility, or critical infrastructure facility and the unmanned aircraft is not higher than 400 feet above ground level;

(2) allows an unmanned aircraft to make contact with a correctional facility, detention facility, or critical infrastructure facility, including any person or object on the premises of or within the facility; or

(3) allows an unmanned aircraft to come within a distance of a correctional facility, detention facility, or critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility.

(e) A peace officer who investigates an offense under this section shall notify the Department of Public Safety of the investigation. The department may require further information from

1 the officer as the department determines necessary.

2 SECTION 2. Section 423.0045, Government Code, as amended by
3 this Act, applies only to an offense committed on or after the
4 effective date of this Act. An offense committed before the
5 effective date of this Act is governed by the law in effect on the
6 date the offense was committed, and the former law is continued in
7 effect for that purpose. For purposes of this section, an offense
8 was committed before the effective date of this Act if any element
9 of the offense occurred before that date.

10 SECTION 3. This Act takes effect September 1, 2019.