

1-1 By: Powell S.B. No. 149
 1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read
 1-3 first time and referred to Committee on Veteran Affairs & Border
 1-4 Security; April 23, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
 1-6 April 23, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 149 By: Taylor

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the prosecution of the offense of operation of an
 1-20 unmanned aircraft over certain facilities.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 423.0045(a)(1-a), Government Code, is
 1-23 amended to read as follows:

1-24 (1-a) "Critical infrastructure facility" means:

1-25 (A) one of the following, if completely enclosed
 1-26 by a fence or other physical barrier that is obviously designed to
 1-27 exclude intruders, or if clearly marked with a sign or signs that
 1-28 are posted on the property, are reasonably likely to come to the
 1-29 attention of intruders, and indicate that entry is forbidden:

1-30 (i) a petroleum or alumina refinery;

1-31 (ii) an electrical power generating
 1-32 facility, substation, switching station, or electrical control
 1-33 center;

1-34 (iii) a chemical, polymer, or rubber
 1-35 manufacturing facility;

1-36 (iv) a water intake structure, water
 1-37 treatment facility, wastewater treatment plant, or pump station;

1-38 (v) a natural gas compressor station;

1-39 (vi) a liquid natural gas terminal or
 1-40 storage facility;

1-41 (vii) a telecommunications central
 1-42 switching office or any structure used as part of a system to
 1-43 provide wired or wireless telecommunications services;

1-44 (viii) a port, a public or private airport
 1-45 depicted in any current aeronautical chart published by the Federal
 1-46 Aviation Administration, a railroad switching yard, a trucking
 1-47 terminal, or any other freight transportation facility;

1-48 (ix) a gas processing plant, including a
 1-49 plant used in the processing, treatment, or fractionation of
 1-50 natural gas;

1-51 (x) a transmission facility used by a
 1-52 federally licensed radio or television station;

1-53 (xi) a steelmaking facility that uses an
 1-54 electric arc furnace to make steel;

1-55 (xii) a dam that is classified as a high
 1-56 hazard by the Texas Commission on Environmental Quality; ~~[or]~~

1-57 (xiii) a concentrated animal feeding
 1-58 operation, as defined by Section 26.048, Water Code; or

1-59 (xiv) a military installation owned or
 1-60 operated by or for the federal government, the state, or another

2-1 governmental entity; or
2-2 (B) if enclosed by a fence or other physical
2-3 barrier obviously designed to exclude intruders:
2-4 (i) any portion of an aboveground oil, gas,
2-5 or chemical pipeline;
2-6 (ii) an oil or gas drilling site;
2-7 (iii) a group of tanks used to store crude
2-8 oil, such as a tank battery;
2-9 (iv) an oil, gas, or chemical production
2-10 facility;
2-11 (v) an oil or gas wellhead; or
2-12 (vi) any oil and gas facility that has an
2-13 active flare.

2-14 SECTION 2. The change in law made by this Act applies only
2-15 to an offense committed on or after the effective date of this Act.
2-16 An offense committed before the effective date of this Act is
2-17 governed by the law in effect on the date the offense was committed,
2-18 and the former law is continued in effect for that purpose. For
2-19 purposes of this section, an offense was committed before the
2-20 effective date of this Act if any element of the offense occurred
2-21 before that date.

2-22 SECTION 3. This Act takes effect September 1, 2021.

2-23 * * * * *