

By: Hefner

H.B. No. 41

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition or use of certain foreign equipment or services by a governmental entity.

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

SECTION 1. The heading to Chapter 423, Government Code, is amended to read as follows:

CHAPTER 423. ~~[USE OF]~~ UNMANNED AIRCRAFT

SECTION 2. Sections 423.001, 423.002, 423.003, 423.004, 423.0045, 423.0046, 423.005, 423.006, 423.007, 423.008, and 423.009, Government Code, are designated as Subchapter A, Chapter 423, Government Code, and a heading is added to Subchapter A to read as follows:

SUBCHAPTER A. REGULATION OF UNMANNED AIRCRAFT

SECTION 3. Subchapter A, Chapter 423, Government Code, as added by this Act, is amended by adding Section 423.010 to read as follows:

Sec. 423.010. ACQUISITION OR USE OF CERTAIN FOREIGN UNMANNED AIRCRAFT OR RELATED EQUIPMENT OR SERVICES BY GOVERNMENTAL ENTITY PROHIBITED. (a) In this section:

(1) "Company" means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those

1 entities or business associations, that exists to make a profit.

2 (2) "Governmental entity" means this state, a  
3 political subdivision of this state, or an agency of this state or a  
4 political subdivision of this state.

5 (b) Except as provided by Subsection (d), a governmental  
6 entity may not acquire or use an unmanned aircraft, or related  
7 equipment or services, produced or provided by a company that the  
8 governmental entity knows or has reason to believe is:

9 (1) owned by or the majority of stock or other  
10 ownership interest of the company is held or controlled by:

11 (A) the government of China, Iran, North Korea,  
12 Russia, or Syria; or

13 (B) a company or other entity, including a  
14 government entity, that is owned or controlled by the government of  
15 China, Iran, North Korea, Russia, or Syria; or

16 (2) headquartered in China, Iran, North Korea, Russia,  
17 or Syria.

18 (c) The prohibition described by Subsection (b) applies  
19 regardless of whether:

20 (1) the company's or its parent company's securities  
21 are publicly traded; or

22 (2) the company or its parent company is listed on a  
23 public stock exchange as a Chinese, Iranian, North Korean, Russian,  
24 or Syrian company.

25 (d) A governmental entity that, before September 1, 2025,  
26 acquired, or entered into a contract or agreement to acquire, an  
27 unmanned aircraft or related equipment or services described by

Subsection (b) may continue to use the unmanned aircraft or related equipment or services until September 1, 2030.

SECTION 4. Chapter 423, Government Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. GRANT PROGRAM

Sec. 423.051. DEFINITION. In this subchapter, "program" means the Law Enforcement Secure Unmanned Aircraft Grant Program administered under this subchapter.

Sec. 423.052. ESTABLISHMENT OF PROGRAM. (a) From money appropriated for the purpose, the attorney general shall establish a grant program under this subchapter to provide grants to law enforcement agencies to replace working equipment prohibited under Section 423.010 that was actively in use by the law enforcement agencies immediately before September 1, 2025, and that has not reached its end of life before that date.

(b) The attorney general shall award grants under the program from money appropriated for purposes of the program.

Sec. 423.053. GRANT APPLICATION. (a) A law enforcement agency may apply for a grant from the attorney general in the form and manner prescribed by the attorney general.

(b) The grant application must include the number and types of unmanned aircraft or related equipment that require replacement.

Sec. 423.054. USE OF FUNDS. Grant recipients may use funds only to purchase replacement unmanned aircraft or related equipment that complies with Section 423.010.

Sec. 423.055. SURRENDER OF REPLACED UNMANNED AIRCRAFT OR RELATED EQUIPMENT. To enable the designated entity to study or

1 dispose of the aircraft or related equipment, a grant recipient  
2 promptly shall surrender to an entity designated by the attorney  
3 general the prohibited unmanned aircraft or related equipment with  
4 respect to which the grant was awarded.

5 Sec. 423.056. EXPIRATION OF SUBCHAPTER. This subchapter  
6 expires on the second anniversary of the date that all money  
7 appropriated for the grant program established under this  
8 subchapter has been expended.

9 SECTION 5. Chapter 2054, Government Code, is amended by  
10 adding Subchapter T to read as follows:

11 SUBCHAPTER T. MODEL SECURITY PLAN REGARDING CERTAIN FOREIGN  
12 TELECOMMUNICATIONS OR VIDEO SURVEILLANCE TECHNOLOGIES

13 Sec. 2054.651. MODEL SECURITY PLAN FOR PROHIBITED OR  
14 SUSPECT TECHNOLOGIES. (a) In this section, "company" and  
15 "governmental entity" have the meanings assigned by Section  
16 423.010.

17 (b) The department shall create and as necessary amend a  
18 model security plan for prohibited or suspect technologies to  
19 address a governmental entity's acquisition or use of  
20 telecommunications or video surveillance equipment or services  
21 that may present a risk to state security.

22 (c) The model security plan must list known companies that  
23 produce or provide telecommunications or video surveillance  
24 equipment or services that may present a risk to state security.  
25 The list must include any foreign company that is:

26 (1) described by Section 423.010;

27 (2) prohibited from participating in federal

1 contracts under Section 889, John S. McCain National Defense  
2 Authorization Act for Fiscal Year 2019 (Pub. L. No. 115-232), or  
3 other federal law; or

4 (3) considered by the department to pose a risk to  
5 state security.

6 (d) The department shall make the model security plan  
7 created under this section available to governmental entities.

8 SECTION 6. Section 423.010(b), Government Code, as added by  
9 this Act:

10 (1) applies to the acquisition of an unmanned aircraft  
11 or related equipment or services on or after the effective date of  
12 this Act, except that a contract or agreement to purchase or  
13 otherwise acquire an unmanned aircraft or related equipment or  
14 services described by that subsection that is entered into before  
15 the effective date of this Act is unaffected by this Act; and

16 (2) except as otherwise provided by Section  
17 423.010(d), Government Code, as added by this Act, applies to the  
18 use of an unmanned aircraft or related equipment or services on or  
19 after the effective date of this Act, regardless of whether the  
20 unmanned aircraft or related equipment or services were acquired  
21 before, on, or after the effective date of this Act.

22 SECTION 7. Not later than December 1, 2025, the Department  
23 of Information Resources shall create the initial model security  
24 plan required by Section 2054.651, Government Code, as added by  
25 this Act.

26 SECTION 8. This Act takes effect September 1, 2025.