

1-1 By: Murphy (Senate Sponsor - Birdwell, Powell) H.B. No. 3082  
 1-2 (In the Senate - Received from the House May 6, 2019;  
 1-3 May 6, 2019, read first time and referred to Committee on Criminal  
 1-4 Justice; May 17, 2019, reported favorably by the following vote:  
 1-5 Yeas 6, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman			X	
1-9 Buckingham	X			
1-10 Flores	X			
1-11 Hughes	X			
1-12 Miles	X			
1-13 Perry	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to investigating and prosecuting the criminal offense of  
 1-18 operating an unmanned aircraft over or near certain facilities.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 423.0045, Government Code, is amended by  
 1-21 amending Subsection (b) and adding Subsection (e) to read as  
 1-22 follows:

1-23 (b) A person commits an offense if the person with criminal  
 1-24 negligence [~~intentionally or knowingly~~]:

1-25 (1) operates an unmanned aircraft over a correctional  
 1-26 facility, detention facility, or critical infrastructure facility  
 1-27 and the unmanned aircraft is not higher than 400 feet above ground  
 1-28 level;

1-29 (2) allows an unmanned aircraft to make contact with a  
 1-30 correctional facility, detention facility, or critical  
 1-31 infrastructure facility, including any person or object on the  
 1-32 premises of or within the facility; or

1-33 (3) allows an unmanned aircraft to come within a  
 1-34 distance of a correctional facility, detention facility, or  
 1-35 critical infrastructure facility that is close enough to interfere  
 1-36 with the operations of or cause a disturbance to the facility.

1-37 (e) A peace officer who investigates an offense under this  
 1-38 section shall notify the Department of Public Safety of the  
 1-39 investigation. The department may require further information from  
 1-40 the officer as the department determines necessary.

1-41 SECTION 2. Section 423.0045, Government Code, as amended by  
 1-42 this Act, applies only to an offense committed on or after the  
 1-43 effective date of this Act. An offense committed before the  
 1-44 effective date of this Act is governed by the law in effect on the  
 1-45 date the offense was committed, and the former law is continued in  
 1-46 effect for that purpose. For purposes of this section, an offense  
 1-47 was committed before the effective date of this Act if any element  
 1-48 of the offense occurred before that date.

1-49 SECTION 3. This Act takes effect September 1, 2019.

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