

BILL ANALYSIS

H.B. 3082
By: Murphy
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Citing recent drone incidents that potentially pose security and safety risks to infrastructure facilities and recent federal regulations imposed on drones, there have been calls to update state law regarding the offense of operating an unmanned aircraft over or near a correctional facility, a detention facility, or a critical infrastructure facility to improve enforcement and increase infrastructure security. H.B. 3082 seeks to do so by changing the requisite intent for conduct constituting such an offense.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3082 amends the Government Code to change the requisite intent for conduct constituting the offense of operating an unmanned aircraft over a correctional facility, detention facility, or critical infrastructure facility from intentionally or knowingly committing that conduct to committing that conduct with criminal negligence. The bill requires a peace officer who investigates such an offense to notify the Department of Public Safety (DPS) of the investigation and authorizes DPS to require further information from the officer as DPS determines necessary.

EFFECTIVE DATE

September 1, 2019.