

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 149
By: Powell
Veteran Affairs & Border Security
4/20/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The main mission of S.B. 149 is to improve the security of our state's military installations as well as the safety of the men and women working and living on those bases. It will accomplish this by amending the Government Code.

Currently, Section 423.0045, Government Code, defines what facilities can be defined as a "critical infrastructure facility" and lays out restrictions on the operation of unmanned aircrafts (drones) near those facilities. Examples of critical infrastructure facilities include but are not limited to water treatment plants and power plants.

S.B. 149 would amend this section so that military installations owned and operated by either the federal government, state government, or another governmental entity will be counted as "critical infrastructure facilities."

Although there are Federal Aviation Administration (FAA) guidelines restricting the use of drones above the airspace of an installation, there are no guidelines that refer to physical contact with the base or its normal operations.

By amending military installations into the definition as to what constitutes a critical infrastructure facility, the safety and security of our state-based military installations as well as their personnel will be better served.

The substitute to S.B. 149 adds a public or private airport depicted in any current aeronautical chart published by the Federal Aviation Administration to the areas prohibiting unmanned drone overflights.

C.S.S.B. 149 amends current law relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 423.0045(a)(1-a), Government Code, to redefine, for purposes of the offense of operating an unmanned aircraft over certain facilities, "critical infrastructure facility" to include a public or private airport depicted in any current aeronautical chart published by the Federal Aviation Administration, and a military installation owned or operated by or for the federal government, the state, or another governmental facility, if it meets certain conditions. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.