

2024 Regular Session

HOUSE BILL NO. 167

BY REPRESENTATIVE BRASS

CRIME: Provides relative to penalties for unlawful use of an unmanned aircraft system

1 AN ACT

2 To amend and reenact R.S. 14:337(A) and (E), relative to the unlawful use of an unmanned
3 aircraft system; to provide relative to the forfeiture of an unmanned aircraft system;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:337(A) and (E) are hereby amended and reenacted to read as
7 follows:

8 §337. Unlawful use of an unmanned aircraft system

9 A.(1) Unlawful use of an unmanned aircraft system is either of the
10 following:

11 ~~(1)~~(a) The intentional use of an unmanned aircraft system to conduct
12 surveillance of, gather evidence or collect information about, or photographically or
13 electronically record a targeted facility without the prior written consent of the owner
14 of the targeted facility.

15 ~~(2)~~(b) The intentional use of an unmanned aircraft system over the grounds
16 of a state or local jail, prison, or other correctional facility that incarcerates or detains
17 juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent
18 for violations of criminal law without the express written consent of the person in
19 charge of that state or local jail, prison, or other correctional facility.

(2) The unmanned aircraft system shall be seized by a law enforcement officer in the course of arrest or issuance of summons or shall be seized by order of court pursuant to other provisions of law.

* * *

E.(1) Whoever commits the crime of unlawful use of an unmanned aircraft system as provided in ~~Paragraph~~ Subparagraph (A)(1)(a) of this Section shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

(2) On a conviction for a second or subsequent offense as provided in Paragraph Subparagraph (A)(1)(a) of this Section, the offender shall be fined not less than five hundred dollars nor more than four thousand dollars, or imprisoned, with or without hard labor, for not less than six months nor more than two years, or both. In addition to the sentence imposed pursuant to this Paragraph, the court shall order the forfeiture of the unmanned aircraft system used in connection with the offense and provide for the destruction, sale, or other disposition of the unmanned aircraft system.

(3) Whoever commits the crime of unlawful use of an unmanned aircraft system as provided in ~~Paragraph~~ Subparagraph (A)(2) (1)(b) of this Section shall be fined not more than two thousand dollars, or imprisoned for not more than six months, or both.

(4) On a conviction for a second or subsequent offense as provided in ~~Paragraph~~ Subparagraph (A)(2) (1)(b) of this Section, the offender shall be fined not less than two thousand dollars nor more than five thousand dollars, or imprisoned, with or without hard labor, for not more than one year, or both.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 167 Original

2024 Regular Session

Brass

Abstract: Provides for the seizure of an unmanned aircraft system that is used unlawfully.

Present law provides for the crime of unlawful use of an unmanned aircraft system and provides for penalties.

Proposed law retains present law.

Proposed law provides for the seizure of an unmanned aircraft system by a law enforcement officer in the course of arrest or issuance of summons or a court order pursuant to other provisions of present law when the unmanned aircraft system is used in violation of present law.

Proposed law provides that, in addition to the sentence imposed for a second or subsequent offense violation of present law (R.S. 14:337(A)(1)), the court shall order the forfeiture of the unmanned aircraft system used in connection with the offense and provide for the destruction, sale, or other disposition of the unmanned aircraft system.

(Amends R.S. 14:337(A) and (E))