

The Senate Committee on Science and Technology offered the following substitute to HB 779:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 16 and Chapter 2 of Title 6 of the Official Code of Georgia Annotated,
2 relating to crimes and offenses and regulation of aeronautics, aircraft, and airports generally,
3 respectively, so as to regulate the use of unmanned aircraft systems; to provide for
4 definitions; to provide for punishment; to provide for preemption; to create the Georgia
5 Unmanned Vehicle Systems Commission; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 PART I
9 SECTION 1-1.

10 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
11 amended by adding a new article to Chapter 11, relating to offenses against public order and
12 safety, to read as follows:

13 "ARTICLE 6

14 16-11-210.

15 As used in this article, the term:

16 (1)(A) 'Unmanned aircraft system' means a powered, aerial vehicle that:

17 (i) Does not carry a human operator and is operated without the possibility of direct
18 human intervention from within or on the aircraft;

19 (ii) Uses aerodynamic forces to provide vehicle lift;

20 (iii) Can fly autonomously or be piloted remotely; and

21 (iv) Can be expendable or recoverable.

22 (B) Such term shall not include a satellite.

23 (2) 'Weapon' means an object, device, or instrument which when used against a person
 24 is likely to, or actually does, result in serious bodily injury or death, including, but not
 25 limited to, a destructive device as defined in Code Section 16-7-80 or a dangerous
 26 weapon as defined in Code Section 16-11-121.

27 16-11-211.

28 Except for United States military operations or federal governmental contracts involving
 29 research using weaponized unmanned aircraft systems, it shall be unlawful to sell,
 30 transport, manufacture, possess, or operate an unmanned aircraft system that is equipped
 31 with a weapon. Any person that violates this Code section shall be guilty of a felony and
 32 upon conviction shall be punished by imprisonment for not less than one nor more than
 33 three years or by a fine not to exceed \$100,000.00, or both.

34 16-11-212.

35 (a) Any ordinance, resolution, regulation, or policy of any county, municipality, or other
 36 political subdivision of this state regulating the testing or operation of unmanned aircraft
 37 systems shall be deemed preempted and shall be null, void, and of no force and effect;
 38 provided, however, that a county, municipality, or other political subdivision of this state
 39 may:

40 (1) Enforce any ordinance that was adopted on or before April 1, 2016;

41 (2) Adopt an ordinance that enforces Federal Aviation Administration restrictions; or

42 (3) Adopt an ordinance that provides for or prohibits the launch or intentional landing
 43 of an unmanned aircraft system from or on its public property except with respect to the
 44 operation of an unmanned aircraft system for commercial purposes.

45 (b) The state, through agency or department rules and regulations, may provide for or
 46 prohibit the launch or intentional landing of an unmanned aircraft system from or on its
 47 public property."

48 **SECTION 1-2.**

49 Said title is further amended by revising Code Section 16-11-69, relating to penalties for
 50 violation of laws relating to wiretapping, eavesdropping, and surveillance, as follows:

51 "16-11-69.

52 Except as otherwise provided in subsection ~~(d)~~ (e) of Code Section 16-11-66.1 or Article
 53 6 of this chapter, any person violating any of the provisions of this part shall be guilty of
 54 a felony and, upon conviction thereof, shall be punished by imprisonment for not less than
 55 one nor more than five years or a fine not to exceed \$10,000.00, or both."

PART II
SECTION 2-1.

Chapter 2 of Title 6 of the Official Code of Georgia Annotated, relating to regulation of aeronautics, aircraft, and airports generally, is amended by adding a new Code section to read as follows:

"6-2-13.

(a) There is created the Georgia Unmanned Vehicle Systems Commission.

(b) The commission shall be composed of:

(1) Three members of the Senate appointed by the President of the Senate;

(2) Three members of the House of Representatives appointed by the Speaker of the House of Representatives;

(3) Two individuals appointed by the Governor with backgrounds in unmanned aircraft systems;

(4) One individual appointed by the Governor with a background in an outdoor venue that hosts major sporting events or entertainment;

(5) The commissioner of economic development or his or her designee;

(6) One individual appointed by the Governor from the aerospace industry;

(7) The executive director of the Georgia Ports Authority or his or her designee;

(8) A sheriff appointed by the Governor;

(9) A chief of police appointed by the Governor;

(10) The director of the Georgia Emergency Management Agency or his or her designee;

(11) The director of the Georgia Bureau of Investigation or his or her designee;

(12) The Adjutant General of the Georgia National Guard or his or her designee;

(13) A mayor appointed by the Governor;

(14) A county commissioner appointed by the Governor; and

(15) One individual appointed by the Governor who is a representative of the Association of Unmanned Vehicle Systems International.

(c) Appointed members shall be appointed by their respective appointing authorities for two-year terms of office and may be reappointed upon the expiration of their terms of office. Vacancies shall be filled for the unexpired term by appointment by the respective appointing authority.

(d) The President of the Senate shall designate one of the Senate appointees as cochairperson, and the Speaker of the House of Representatives shall designate one of the House of Representatives appointees as cochairperson. The commission shall meet at least four times per year and upon the call of the cochairpersons.

91 (e) Legislative members of the commission shall receive the allowances provided for in
92 Code Section 28-1-8 for attending meetings of the commission. Members of the
93 commission who are state officials, other than legislative members, or who are state
94 employees shall receive no compensation for their services on the commission, but they
95 may be reimbursed for expenses incurred by them in the performance of their duties as
96 members of the commission in the same manner as they are reimbursed for expenses in
97 their capacities as state officials or employees. Members of the commission who are not
98 legislators, state officials, or state employees shall receive a daily expense allowance in an
99 amount the same as that specified in subsection (b) of Code Section 45-7-21 as well as the
100 mileage or transportation allowance authorized for state employees.

101 (f) The commission, in consultation with the Department of Economic Development and
102 other interested parties, shall:

103 (1) Identify the benefits, including job creation, a cleaner environment, positive
104 economic impacts, increased public safety, and enhanced efficiencies, that may be
105 realized by the state from conducting research on unmanned vehicle systems in the state
106 and by developing, manufacturing, and operating unmanned vehicle systems in the state;

107 (2) Determine the benefits that may be realized within each of the various industry
108 sectors in the state that have the potential for the use of unmanned vehicle systems and
109 evaluate the extent to which the use of unmanned vehicle systems in the state is in the
110 public interest;

111 (3) Identify ways in which the benefits and other positive aspects associated with the use
112 of unmanned vehicle systems may be conveyed to the public in order to achieve public
113 support;

114 (4) Identify policies that should be implemented to ensure that any concerns, including
115 privacy, property rights, commercial interests, and public safety issues, are addressed;

116 (5) Identify concerns associated with safety and commercial interests of outdoor venues,
117 including sporting events and entertainment;

118 (6) As a way to provide certainty to companies that want to use unmanned aircraft
119 systems in the state, develop qualification guidelines for companies to follow when
120 applying to the Federal Aviation Administration for a Section 333 exemption;

121 (7) Identify the state of all unmanned vehicle systems industries in this state, looking
122 comprehensively at the industry, including the supply chain from precompetitive research
123 and development through production and operation;

124 (8) Identify challenges and needs of the unmanned vehicle systems industry that may be
125 met with Georgia assets for each domain of unmanned vehicle systems (aerial, land,
126 maritime), including, but not limited to, workforce, research and engineering expertise,

- 127 testing facilities, manufacturing facilities, and economic development opportunities
128 within the state;
129 (9) Develop the value proposition for Georgia that will provide a basis for marketing
130 Georgia to the current unmanned vehicle systems industry and that will position Georgia
131 for emerging needs and applications within that industry; and
132 (10) Provide recommendations that will encourage the development of the unmanned
133 vehicle systems industry in Georgia.
134 (g) On or before December 1, the commission shall provide an annual report to the
135 General Assembly on its work and findings.
136 (h) The commission shall be abolished on December 31, 2021."

137 PART III

138 SECTION 3-1.

139 All laws and parts of laws in conflict with this Act are repealed.