

House Bill 205

By: Representatives Clark of the 100th, Gaines of the 120th, Jones of the 25th, Crowe of the 118th, Greene of the 154th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 6 and Article 2A of Chapter 3 of Title 38 of the Official Code
2 of Georgia Annotated, relating to general provisions relative to aviation and the Board of
3 Homeland Security, respectively, so as to provide for the development of a list of approved
4 unmanned aircraft systems for use in this state by the Board of Homeland Security; to
5 provide for definitions; to provide for standards for the development of such list; to authorize
6 local ordinances relating to unmanned aircraft systems on such list in certain instances; to
7 authorize the operation of unmanned aircraft systems in this state on such approved list in
8 or on public property; to encourage the purchase of unmanned aircraft systems from such
9 approved list and prohibit the purchase of unmanned aircraft systems not on such approved
10 list by state agencies or local governments after a certain date; to exempt records relating to
11 the development of an approved unmanned aircraft system list from open records
12 requirements; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Chapter 1 of Title 6 of the Official Code of Georgia Annotated, relating to general provisions
17 relative to aviation, is amended by revising Code Section 6-1-4, relating to unmanned aircraft
18 system defined, preemption for unmanned aircraft systems, and operations, as follows:

19 "6-1-4.

20 (a)(~~1~~) As used in this Code section, the term:

21 (1) 'Approved unmanned aircraft system' means an unmanned aircraft system approved
22 by the Board of Homeland Security pursuant to Code Section 38-3-43.

23 (2) 'Unmanned ~~unmanned~~ aircraft system' means a powered, aerial vehicle that is not a
24 satellite and that:

25 (A) Does not carry a human operator and is operated without the possibility of direct
26 human intervention from within or on the aircraft;

27 (B) Uses aerodynamic forces to provide vehicle lift;

28 (C) Can fly autonomously or be piloted remotely; and

29 (D) Can be expendable or recoverable.

30 ~~(2) Such term shall not include a satellite.~~

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

36 (1) Enforce any ordinance that was adopted on or before April 1, 2017;

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

38 (3) Adopt an ordinance that ~~provides for or~~ prohibits the launch or intentional landing
39 of an unmanned aircraft system from or on its public property ~~except with respect to the~~
40 ~~operation of an unmanned aircraft system for commercial purposes; or~~

41 (4) Adopt an ordinance that provides for the launch or intentional landing of an approved
42 unmanned aircraft system from or on its public property.

43 (c) The state, through agency or departmental rules and regulations, may ~~provide for or~~
44 prohibit the launch or intentional landing of an unmanned aircraft system from or on its
45 public property. The state, through agency or departmental rules and regulations, may
46 provide for the launch or intentional landing of an approved unmanned aircraft system from
47 or on its public property.

48 (d) To the extent practicable, a state agency or county, municipality, or other political
49 subdivision of this state shall purchase or acquire only approved unmanned aircraft
50 systems; provided, however, that, on and after January 1, 2028, no state agency or county,
51 municipality, or other political subdivision of this state shall purchase or acquire an
52 unmanned aircraft system that is not an approved unmanned aircraft system."

53 **SECTION 2.**

54 Article 2A of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to the
55 Board of Homeland Security, is amended by adding a new Code section to read as follows:
56 "38-3-43.

57 (a) As used in this Code section, the term 'unmanned aircraft system' shall have the same
58 meaning as set forth in Code Section 6-1-4.

59 (b) No later than December 1, 2025, the board shall develop a list of unmanned aircraft
60 systems approved for use within this state. Such list shall be developed in coordination
61 with the Department of Administrative Services, be developed after consultation with
62 experts in the field of data collection and privacy, and include unmanned aircraft systems
63 determined by the board to:

64 (1) Be compliant with Federal Aviation Administration standards;

65 (2) Have been cleared for use by the United States Department of Defense;

- 66 (3) Be compliant with requirements of the federal National Defense Authorization Act
67 of 2024, P.L. 118-31;
- 68 (4) Be designed in a manner that prevents the transmission of data to unauthorized
69 persons or entities under normal operating conditions; and
- 70 (5) Present no threat to the security of this state.
- 71 (c) The list developed pursuant to this Code section shall be published upon the Georgia
72 Emergency Management and Homeland Security Agency public website.
- 73 (d) The board shall review and update the list compiled pursuant to this Code section every
74 six months. Any records of the board relative to the development of such list shall be
75 exempt from Article 4 of Chapter 18 of Title 50, relating to open records."

76

SECTION 3.

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