

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 205:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 6 and Article 2 of Chapter 3 of Title 38 of the Official Code of  
2 Georgia Annotated, relating to general provisions relative to aviation and organization and  
3 administration of emergency management, respectively, so as to provide for the development  
4 of a list of approved unmanned aircraft systems for use in this state by the Georgia  
5 Emergency Management and Homeland Security Agency; to provide for definitions; to  
6 provide for standards for the development of such list; to authorize local ordinances relating  
7 to unmanned aircraft systems on such list in certain instances; to authorize the operation of  
8 unmanned aircraft systems in this state on such approved list in or on public property; to  
9 encourage the purchase of unmanned aircraft systems from such approved list and prohibit  
10 the purchase of unmanned aircraft systems not on such approved list by state agencies or  
11 local governments after a certain date; to exempt records relating to the development of an  
12 approved unmanned aircraft system list from open records requirements; to provide for  
13 related matters; to repeal conflicting laws; and for other 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 Georgia Emergency Management and Homeland Security Agency pursuant to  
23 Code Section 38-3-39.

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

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

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

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

30 (D) Can be expendable or recoverable.

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

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

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

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

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

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

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

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

54 **SECTION 2.**

55 Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to  
 56 organization and administration of emergency management, is amended by adding a new  
 57 Code section to read as follows:

58 "38-3-39.

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

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

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

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

81

**SECTION 3.**

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