

House Bill 58 (AS PASSED HOUSE AND SENATE)

By: Representatives Richardson of the 125th, Leverett of the 123rd, Thomas of the 21st, Clifton of the 131st, Crowe of the 118th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 6 of the Official Code of Georgia Annotated, relating to general
2 provisions relative to aviation, so as to prohibit certain actions by operators of unmanned
3 aircraft systems; to provide for a penalty; to provide for applicability; to provide for
4 definitions; to provide for related matters; to provide for an effective date; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "6-1-4.

12 (a)(~~1~~) As used in this Code section, the term '~~unmanned~~;

13 (1) 'Ticketed entertainment event' means any music, sporting, or performing arts event
14 held in a location with gated entries or barriers that prevent access to the general public
15 and in which a revocable license that has been issued by an owner, operator, or lessee of
16 such property is required for attendance at such event.

17 (2) 'Unmanned aircraft system' means a:

18 (A) A powered, aerial vehicle that:

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

21 ~~(B)(ii)~~ Uses aerodynamic forces to provide vehicle lift;

22 ~~(C)(iii)~~ Can fly autonomously or be piloted remotely; and

23 ~~(D)(iv)~~ Can be expendable or recoverable; and

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

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

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

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

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

35 (c) The state, through agency or departmental rules and regulations, may provide for or
36 prohibit the launch or intentional landing of an unmanned aircraft system from or on its
37 public property.

38 (d)(1) It shall be unlawful to operate an unmanned aircraft system within 400 feet of or
39 above a ticketed entertainment event.

40 (2) A person who violates this subsection shall be guilty of the unauthorized operation
41 of an unmanned aircraft system and shall be punished as for a misdemeanor.

42 (3) This subsection shall not apply when a person who operates an unmanned aircraft
43 system:

44 (A) Has obtained consent by any person with legal authority over a ticketed
45 entertainment event;

46 (B) Is authorized by federal regulations to operate an unmanned aircraft system and is
47 operating such system in a lawful manner and consistent with federal regulations;

48 (C) Is an employee of the property where the ticketed entertainment event is held and
49 is conducting official business;

50 (D) Is an employee of a water, sewer, electrical, telephone, cable, or other regulated
51 utility service provider and is conducting official business; or

52 (E) Is an owner of private property who is operating an unmanned aircraft system that
53 he or she owns above such property, provided that such operation is consistent with
54 federal regulations and is not used for commercial purposes, to convey or communicate
55 a message, or to record for purposes of commercial broadcasting or publication,
56 monitor, or otherwise interfere in any way with a ticketed entertainment event."

57 **SECTION 2.**

58 This Act shall become effective upon its approval by the Governor or upon its becoming law
59 without such approval.

60 **SECTION 3.**

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