

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1350

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 41, chapter 41, article 2, Arizona Revised
3 Statutes, is amended by adding section 41-4274, to read:

4 41-4274. State agencies; unmanned aircrafts; prohibited use;
5 exception; applicability; definitions

6 A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, BEGINNING
7 DECEMBER 31, 2028, THIS STATE, AN AGENCY OF THIS STATE, AN INDEPENDENT
8 CONTRACTOR OF AN AGENCY OF THIS STATE OR A PERSON IN THIS STATE MAY NOT USE
9 OR OPERATE ANY UNMANNED AIRCRAFT THAT IS MANUFACTURED OR ASSEMBLED BY A
10 COMPANY DOMICILED IN THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF
11 COLLECTING DATA CONCERNING ANY RESTRICTED CRITICAL INFRASTRUCTURE IN THIS
12 STATE.

13 B. THIS STATE, AN AGENCY OF THIS STATE, AN INDEPENDENT CONTRACTOR OF
14 AN AGENCY OF THIS STATE OR A PERSON IN THIS STATE MAY USE OR OPERATE AN
15 UNMANNED AIRCRAFT THAT IS MANUFACTURED OR ASSEMBLED BY A COMPANY DOMICILED
16 IN THE PEOPLE'S REPUBLIC OF CHINA FOR THE PURPOSE OF COLLECTING DATA
17 CONCERNING ANY RESTRICTED CRITICAL INFRASTRUCTURE IN THIS STATE IF THE
18 UNMANNED AIRCRAFT USES ONE OF THE FOLLOWING TO PREVENT THE EXTRACTION OF
19 INTELLIGENCE DATA FROM THE UNMANNED AIRCRAFT BY A COMPANY DOMICILED IN THE
20 PEOPLE'S REPUBLIC OF CHINA:

21 1. UNITED STATES SECURITY SOFTWARE THAT IS COMPLIANT WITH THE
22 SECURITY STANDARDS OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

1 2. SECURITY SOFTWARE THAT IS FUNCTIONALLY EQUIVALENT TO THE SOFTWARE
2 PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION, THAT PREVENTS EXFILTRATION OF
3 UNMANNED AIRCRAFT SYSTEM DATA, IN EACH CASE, AND THAT:

4 (a) HAS BEEN DEVELOPED AND IS MAINTAINED BY A PUBLIC OR PRIVATE
5 ENTITY THAT IS NOT A COMPANY DOMICILED IN THE PEOPLE'S REPUBLIC OF CHINA OR
6 SUBJECT TO THE CONTROL OF A COMPANY DOMICILED IN PEOPLE'S REPUBLIC OF
7 CHINA.

8 (b) IS COMPLIANT WITH NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
9 COMPLIANCE STANDARD 800-53 OR ANY SUCCESSOR SECURITY STANDARD THAT THE
10 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY MAY DEVELOP FROM TIME TO
11 TIME.

12 C. AN INDEPENDENT THIRD PARTY SHALL ANNUALLY VERIFY THAT THE SECURITY
13 SOFTWARE PRESCRIBED IN SUBSECTION B OF THIS SECTION FOLLOWS ALL APPLICABLE
14 SECURITY STANDARDS ESTABLISHED BY THE DEPARTMENT OF PUBLIC SAFETY AND THE
15 ARIZONA DEPARTMENT OF HOMELAND SECURITY.

16 D. THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND THE DEPARTMENT OF
17 PUBLIC SAFETY SHALL DESIGNATE CRITICAL INFRASTRUCTURE IN THIS STATE AS
18 RESTRICTED ON A SITE-SPECIFIC BASIS AND MAY ONLY DESIGNATE RESTRICTED
19 CRITICAL INFRASTRUCTURE BY CATEGORY OR TYPE OF FACILITY OR INSTALLATION AS
20 REASONABLY NECESSARY TO EFFECTUATE THE PURPOSES OF THIS SECTION. IN
21 DETERMINING THE DESIGNATION OF RESTRICTED CRITICAL INFRASTRUCTURE IN THIS
22 STATE, THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND THE DEPARTMENT OF
23 PUBLIC SAFETY SHALL CONSIDER ALL OF THE FOLLOWING:

24 1. THE SENSITIVITY OF DATA CONCERNING INSTALLATIONS AND FACILITIES
25 THAT ARE REASONABLY ACCESSIBLE BY UNMANNED AIRCRAFT MOUNTED CAMERAS AND
26 OTHER SENSORS.

27 2. THE AVAILABILITY OF SIMILAR DATA FROM SOURCES OTHER THAN UNMANNED
28 AIRCRAFTS, SUCH AS SATELLITES EQUIPPED WITH TERRESTRIAL DATA COLLECTION
29 SYSTEMS.

30 3. THE EFFICACY, COST AND AVAILABILITY OF UNMANNED AIRCRAFT MODELS
31 THAT ARE PRODUCED BY COMPANIES THAT ARE NOT DOMICILED IN THE PEOPLE'S
32 REPUBLIC OF CHINA AND THAT COUNTER UNMANNED AIRCRAFTS.

1 E. THIS SECTION DOES NOT APPLY TO THE ARIZONA DEPARTMENT OF HOMELAND
2 SECURITY, THE DEPARTMENT OF PUBLIC SAFETY, A MUNICIPAL LAW ENFORCEMENT
3 AGENCY, A COUNTY SHERIFF'S DEPARTMENT OR ANY THIRD PARTY THAT IS DELIVERING
4 DATA COLLECTION SERVICES USING UNMANNED AIRCRAFT SYSTEMS TO ANY LAW
5 ENFORCEMENT AGENCY.

6 F. FOR THE PURPOSES OF THIS SECTION:

7 1. "CRITICAL INFRASTRUCTURE" MEANS ANY OF THE FOLLOWING:

8 (a) GAS AND OIL PRODUCTION, STORAGE OR DELIVERY SYSTEMS.

9 (b) WATER SUPPLY REFINEMENT, STORAGE OR DELIVERY SYSTEMS.

10 (c) ELECTRICAL POWER DELIVERY SYSTEMS.

11 (d) TELECOMMUNICATIONS NETWORKS.

12 (e) TRANSPORTATION SYSTEMS AND SERVICES.

13 2. "RESTRICTED CRITICAL INFRASTRUCTURE" MEANS:

14 (a) CRITICAL INFRASTRUCTURE LOCATED IN THIS STATE THAT HAS BEEN
15 DESIGNATED AS RESTRICTED BY THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AND
16 THE DEPARTMENT OF PUBLIC SAFETY, IN CONSULTATION WITH ANY RELEVANT STATE
17 AND FEDERAL AGENCIES AND STANDARDS.

18 (b) DOES NOT INCLUDE ENERGY, ELECTRICAL, WATER OR TELECOMMUNICATIONS
19 SYSTEMS OR OTHER UTILITY DISTRIBUTION LINES OR SYSTEMS OR PUBLIC ROADWAYS.

20 3. "UNMANNED AIRCRAFT" MEANS AN AIRCRAFT THAT IS OPERATED WITHOUT
21 HUMAN INTERVENTION FROM WITHIN OR ON THE AIRCRAFT."

22 Amend title to conform

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