

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H3/30/23
A Bill

HOUSE BILL 1653

By: Representative B. McKenzie

By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO PROHIBIT THE PURCHASE OF SMALL UNMANNED AIRCRAFTS MANUFACTURED OR ASSEMBLED BY A COVERED FOREIGN ENTITY; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT THE PURCHASE OF SMALL UNMANNED AIRCRAFTS MANUFACTURED OR ASSEMBLED BY A COVERED FOREIGN ENTITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

25-1-127. Purchase of small unmanned aircraft from covered foreign entity.

(a) As used in this section:

(1) "Covered foreign entity" means an individual, foreign government, or a party other than an individual or foreign government:

(A) On the Consolidated Screening List or Entity List as designated by the United States Secretary of Commerce;

(B) Domiciled in the People's Republic of China or the Russian Federation;

(C) Under the influence or control by the government of the People's Republic of China or the Russian Federation; or

(D) That is a subsidiary or affiliate of an individual, government or party referred to in subdivisions (a)(1)(A)-(C) of this



section;

(2) "Public entity" means the State of Arkansas, or a political subdivision of the state, including all boards, authorities, commissions, agencies, committees, councils, university departments, or other state entities created by the Arkansas Constitution or law; and

(3) "Small unmanned aircraft system" means an unmanned, powered aircraft:

(A) That:

(i) Is operated without the possibility of direct human intervention from within or on the aircraft;

(ii) Can be expendable or recoverable; and

(iii) Weighs less than fifty-five pounds (55 lbs.) including the weight of anything attached to or carried by the aircraft; and

(B) Including the associated elements that are required for the operator to operate the aircraft safely and efficiently in the national airspace system, including without limitation any communication links and the components that control the aircraft.

(b)(1) A public entity shall not purchase a small unmanned aircraft system that is manufactured or assembled by a covered foreign entity.

(2) Unless waived under subsection (d) of this section, state funds shall not be used to purchase a small unmanned aircraft system that is manufactured or assembled by a covered foreign entity, including without limitation state funds:

(A) Awarded through a contract, grant, or cooperative agreement; or

(B) Otherwise made available.

(c)(1) On or after May 1, 2027, a public entity shall not operate a small unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) Except as provided under subsection (d) of this section, state funds shall not be used in connection with the operation of a small unmanned aircraft system that is manufactured or assembled by a covered foreign entity, including without limitation state funds:

(A) Awarded through a contract, grant, or cooperative agreement; or

(B) Otherwise made available.

(d) The Secretary of the Department of Transformation and Shared Services may waive the restriction under subdivision (b)(2) or subdivision (c)(2) of this section upon:

(1) His or her review of the necessity to purchase a small unmanned aircraft system that is manufactured or assembled by a covered foreign entity due to exigent circumstances, Counter Unmanned Aircraft Systems, or criminal investigative purposes; and

(2) Notification to the General Assembly.

/s/B. McKenzie