

1 ENGROSSED HOUSE
2 BILL NO. 2312

By: Archer and Hilbert of the
House

3 and

4 Howard of the Senate

5

6 An Act relating to aircraft and airports; amending 3
7 O.S. 2021, Section 322, which relates to critical
8 infrastructure facilities; removing certain
exception; and providing an effective date.

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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 3 O.S. 2021, Section 322, is
12 amended to read as follows:

13 Section 322. A. As used in this section:

14 1. "Critical infrastructure facility" means:

15 a. one of the following, if completely enclosed by a
16 fence or other physical barrier that is obviously
17 designed to exclude intruders, or if clearly marked
18 with a sign or signs that are posted on the property,
19 are reasonably likely to come to the attention of
20 intruders, and indicate that entry is forbidden or
21 flight of unmanned aircraft without site authorization
22 is forbidden:

23 (1) a petroleum or alumina refinery,

- (2) an electrical power generating facility, substation, switching station or electrical control center,
 - (3) a chemical, polymer or rubber manufacturing facility,
 - (4) a water intake structure, water treatment facility, wastewater treatment plant or pump station,
 - (5) a natural gas compressor station,
 - (6) a liquid natural gas terminal or storage facility,
 - (7) a telecommunications central switching office,
 - (8) wireless telecommunications infrastructure, including cell towers,
 - (9) a port, railroad switching yard, trucking terminal or other freight transportation facility,
 - (10) a gas processing plant, including a plant used in the processing, treatment or fractionation of natural gas or natural gas liquids,
 - (11) a transmission facility used by a federally licensed radio or television station,
 - (12) a steelmaking facility that uses an electric arc furnace to make steel,

(13) a facility identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS)

(14) a dam that is regulated by the state or federal government, or

(15) a natural gas distribution utility facility, including, but not limited to, pipeline interconnections, a city gate or town border station, metering station, aboveground piping, a regulator station and a natural gas storage facility, or

b. any aboveground portion of an oil, gas, hazardous liquid or chemical pipeline that is enclosed by a fence or other physical barrier that is obviously designed to exclude intruders;

2. "Dam" means any barrier, including any appurtenant

structures, that is constructed for the purpose of permanently or temporarily impounding water; and

20 3. "Unmanned aircraft" means an aircraft without occupants that
21 is flown by a pilot via a ground control system or autonomously
22 through use of an onboard computer and other additional equipment
23 necessary to operate the aircraft and includes unmanned aircraft
24 commonly called drones.

1 B. Except as provided in subsection C of this section, a person
2 shall not intentionally or knowingly:

3 1. Operate an unmanned aircraft over a critical infrastructure
4 facility if the unmanned aircraft is less than four hundred (400)
5 feet above ground level;

6 2. Allow an unmanned aircraft to make contact with a critical
7 infrastructure facility, including any person or object on the
8 premises of or within the facility; or

9 3. Allow an unmanned aircraft to come within a distance of a
10 critical infrastructure facility that is close enough to interfere
11 with the operations of or cause a disturbance to the facility.

12 C. This section shall not apply to conduct committed by:

13 1. The federal government, the state or a political subdivision
14 of the state;

15 2. A person under contract with or otherwise acting under the
16 direction or on behalf of the federal government, the state or a
17 political subdivision of the state;

18 3. A law enforcement agency;

19 4. A person under contract with or otherwise acting under the
20 direction or on behalf of a law enforcement agency;

21 5. An owner or operator of the critical infrastructure
22 facility;

6. A person under contract with or otherwise acting under the direction or on behalf of an owner or operator of the critical infrastructure facility;

7. A person who has the prior written consent of the owner or operator of the critical infrastructure facility; or

8. The owner or occupant of the property on which the critical infrastructure facility is located or a person who has the prior written consent of the owner or occupant of that property; or

9. An operator of an unmanned aircraft that is being used for a commercial purpose, if the operator is authorized by the Federal Aviation Administration to conduct operations over that airspace.

D. Any person in violation of this section may be civilly liable for damages to the critical infrastructure facility to include, but not be limited to, damage to property, the environment or human health.

SECTION 2. This act shall become effective November 1, 2025.

Passed the House of Representatives the 12th day of March, 2025.

Presiding Officer of the House
of Representatives

Presiding Officer of the Senate