

By: Representative Arnold

To: Ports, Harbors and
Airports; Judiciary B

HOUSE BILL NO. 1383

1 AN ACT TO PROHIBIT AN INDIVIDUAL FROM OPERATING A SMALL
 2 UNMANNED AIRCRAFT UNLESS THE AIRCRAFT HAS BEEN REGISTERED WITH THE
 3 CRIMINAL INFORMATION CENTER OF THE DEPARTMENT OF PUBLIC SAFETY; TO
 4 REQUIRE A RETAILER WHO SELLS A SMALL UNMANNED AIRCRAFT TO REGISTER
 5 THE AIRCRAFT WITH THE CRIMINAL INFORMATION CENTER OF THE
 6 DEPARTMENT OF PUBLIC SAFETY BEFORE THE PURCHASE TRANSACTION IS
 7 COMPLETE; TO PROVIDE CERTAIN REGISTRATION AND IDENTIFICATION
 8 REQUIREMENTS FOR UNMANNED AIRCRAFTS AND UNMANNED AIRCRAFT SYSTEMS;
 9 TO PROVIDE THAT THE LICENSE OF A RETAILER WHO FAILS TO REGISTER A
 10 SMALL UNMANNED AIRCRAFT WITH THE CRIMINAL INFORMATION CENTER OF
 11 THE DEPARTMENT OF PUBLIC SAFETY UPON PURCHASE OF THE AIRCRAFT
 12 SHALL BE REVOKED; TO AMEND SECTION 97-47-9, MISSISSIPPI CODE OF
 13 1972, TO PROVIDE THAT ANY PERSON WHO IS CONVICTED OF DELIVERING OR
 14 ATTEMPTING TO DELIVER CONTRABAND IN THE FORM OF ANY CONTROLLED
 15 SUBSTANCE OR OTHER ILLEGAL DRUGS USING AN UNMANNED AIRCRAFT SYSTEM
 16 TO A CORRECTIONAL FACILITY PROPERTY OR ADJACENT PROPERTY SHALL BE
 17 SENTENCED TO AN ADDITIONAL TERM OF IMPRISONMENT IN THE CUSTODY OF
 18 THE DEPARTMENT OF CORRECTIONS FOR FIVE YEARS; AND FOR RELATED
 19 PURPOSES.

20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

21 **SECTION 1.** (1) No individual may operate a small unmanned
 22 aircraft unless the aircraft has been registered with the Criminal
 23 Information Center of the Department of Public Safety.

24 (2) A retailer who sells a small unmanned aircraft to a
 25 purchaser shall register the aircraft with the Criminal



26 Information Center of the Department of Public Safety before the
27 purchase transaction is complete.

28 (3) To register a small unmanned aircraft, the retailer
29 shall provide the purchaser's information as required by Section 2
30 of this act to the department in a manner as prescribed by the
31 department. Upon submission of this information, the department
32 shall issue a Certificate of Aircraft Registration to the
33 purchaser.

34 (4) For purposes of this act, "purchaser" means a buyer in
35 possession, a bailee, a lessee of a small unmanned aircraft under
36 a contract of conditional sale, and the assignee of that person.

37 (5) A Certificate of Aircraft Registration issued under this
38 section expires three (3) years after the date of issue, unless it
39 is renewed.

40 (6) The holder of a Certificate of Aircraft Registration
41 must renew the certificate by verifying, in a form and manner
42 prescribed by the department, that the information provided in
43 Section 2 of this act is accurate. If there has been a change in
44 the information provided, the holder of the certificate shall
45 provide updated information to the department.

46 (7) Each Certificate of Aircraft Registration issued by the
47 department is effective, unless it has been revoked, canceled,
48 expired, or the ownership is transferred, until one of the
49 following events occurs:



50 (a) The small unmanned aircraft is totally destroyed;
51 or

52 (b) Thirty (30) days have elapsed since the death of
53 the holder of the Certificate of Aircraft Registration.

54 **SECTION 2.** (1) A retailer shall submit the following
55 information to the Criminal Information Center of the Department
56 of Public Safety for a Certificate of Aircraft Registration to be
57 issued to a purchaser:

58 (a) Legal name of the purchaser, and, for a purchaser
59 other than an individual, the name of the authorized
60 representative applying for a Certificate of Aircraft
61 Registration;

62 (b) Physical address of the purchaser, and, for a
63 purchaser other than an individual, the physical address of the
64 authorized representative. If the purchaser or authorized
65 representative cannot receive mail at a physical address, then a
66 mailing address must be provided;

67 (c) Email address of the purchaser, or, for a purchaser
68 other than an individual, the email address of the authorized
69 representative;

70 (d) Telephone number of the purchaser, and, for a
71 purchaser other than an individual, the telephone number of the
72 authorized representative;

73 (e) The aircraft manufacturer and model name;



74 (f) For any standard remote identification unmanned
75 aircraft, the serial number issued by the manufacturer of the
76 unmanned aircraft. The serial number provided in an application
77 must not be listed on more than one Certificate of Aircraft
78 Registration at the same time.

79 (g) For any unmanned aircraft equipped with a remote
80 identification broadcast module, the serial number issued by the
81 manufacturer of the remote identification broadcast module. A
82 purchaser may submit the serial number of more than one remote
83 identification broadcast module as part of the application for
84 aircraft registration. The serial number of a remote
85 identification broadcast module provided in the application must
86 not be listed on more than one Certificate of Aircraft
87 Registration at the same time; and

88 (h) Any other information as required by the
89 department.

90 (2) The purchaser's information provided in this section
91 must be submitted to the department through an Internet-based
92 small unmanned aircraft registration system in a manner prescribed
93 by the department. The department will issue a Certificate of
94 Aircraft Registration to the purchaser upon completion of the
95 application requirements provided in this section.

96 (3) The holder of a Certificate of Aircraft Registration
97 must ensure that the information provided under this section
98 remains accurate, and must update the information using the



99 web-based small unmanned aircraft registration system within
100 fourteen (14) calendar days of the following:

101 (a) A change in the information provided under this
102 section; or

103 (b) When aircraft registration requires cancellation
104 for any reason, including sale, transfer, destruction or export.

105 **SECTION 3.** The license of a retailer who fails to register a
106 small unmanned aircraft with the Criminal Information Center of
107 the Department of Public Safety upon purchase of the aircraft
108 shall be revoked.

109 **SECTION 4.** Section 97-47-9, Mississippi Code of 1972, is
110 amended as follows:

111 97-47-9. (1) Any person who is convicted under Section
112 97-47-5(a) shall be guilty of a misdemeanor, punishable up to one
113 (1) year in prison or a fine not to exceed One Thousand Dollars
114 (\$1,000.00) for the first offense or both.

115 (2) Any person convicted under Section 97-47-5(b) shall be
116 guilty of a felony, punishable by a term of no less than three (3)
117 years and no more than fifteen (15) years in the State
118 Penitentiary or a fine not to exceed Twenty-five Thousand Dollars
119 (\$25,000.00), or both.

120 (3) Except to the extent that a greater minimum sentence is
121 otherwise provided by any other provision of law, any person who
122 is convicted under Section 97-47-5(b) for delivering or



123 attempting to deliver contraband in the form of any controlled
124 substances as defined in Section 41-29-105(f) or other illegal
125 drugs, using an unmanned aircraft system, to a correctional
126 facility property or adjacent property, shall, in addition to the
127 punishment provided for in subsection (2) of this section, be
128 sentenced to an additional term of imprisonment in the custody of
129 the Department of Corrections for five (5) years, which sentence
130 shall not be reduced or suspended.

131 **SECTION 5.** This act shall take effect and be in force from
132 and after July 1, 2022.

