

By: Senator(s) Whaley, Hill, Branning

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2853
(As Sent to Governor)

1 AN ACT TO REQUIRE STATE-PURCHASED SMALL UNMANNED AIRCRAFT
2 SYSTEMS OR DRONES TO BE MANUFACTURED IN THE UNITED STATES OF
3 AMERICA BY AN AMERICAN-OWNED COMPANY AND TO POSSESS COLLISION
4 AVOIDANCE SYSTEMS; TO EXEMPT STATE INSTITUTIONS OF HIGHER LEARNING
5 FROM SUCH REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES; TO GRANT A 10%
6 BID PREFERENCE IN PUBLIC PROCUREMENT FOR SMALL UNMANNED AIRCRAFT
7 SYSTEMS AND RELATED SERVICES TO MISSISSIPPI MANUFACTURERS AND
8 SERVICING COMPANIES; TO REQUIRE ALL PUBLIC AGENCIES TO SOLICIT AT
9 LEAST ONE BID FROM A MISSISSIPPI-BASED SMALL UNMANNED AIRCRAFT
10 SYSTEM MANUFACTURER; TO PROHIBIT STATE AGENCIES FROM PURCHASING OR
11 OPERATING SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURED OR
12 ASSEMBLED FROM PARTS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF
13 CHINA; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) For the purposes of this section, the
16 following words and phrases shall have the meanings ascribed in
17 this section unless the context clearly indicates otherwise:

18 (a) "sUAS" means a small unmanned aircraft system, also
19 called a drone, including the unmanned aircraft itself and any
20 additional support equipment, control stations, data links,
21 telemetry, communications and navigation equipment or any other
22 equipment necessary to operate the unmanned aircraft.



23 (b) "Domestic manufacturer" means a manufacturing
24 company incorporated and headquartered in the United States of
25 America and whose majority ownership is comprised of American
26 citizens and which manufactures drones at a facility in the United
27 States of America. If such company is owned by another entity,
28 that entity must also be an American company.

29 (c) "Domestic sUAS company" means a company which
30 provides maintenance, repair, and other technical services for
31 small unmanned aircraft systems, including drones, which is
32 incorporated, headquartered and primarily provides such services
33 in the United States of America.

34 (d) "Collision avoidance system" means a system of
35 hardware or software designed to mitigate collision risk for
36 drones.

37 (2) Beginning January 1, 2025, all small unmanned aircraft
38 systems and drones purchased by the State of Mississippi or any
39 agency or political subdivision thereof shall be purchased
40 exclusively from a domestic manufacturer and shall possess
41 collision avoidance systems. All maintenance, repair and other
42 technical services on drones owned by the State of Mississippi or
43 any agency or political subdivision thereof shall be performed by
44 a domestic sUAS company. All infrastructure inspection services
45 requiring the use of sUAS and contracted for on behalf of the
46 State shall be performed using domestically manufactured sUAS.



47 (3) In public procurement under Title 31, Chapter 7,
48 domestic manufacturers operating within the State of Mississippi
49 shall be granted a ten percent (10%) bid preference over
50 non-Mississippi manufacturers and domestic sUAS companies shall be
51 granted a ten percent (10%) bid preference over non-Mississippi
52 companies. Additionally, all agencies and public entities may
53 solicit a minimum of one (1) bid from a Mississippi-based small
54 unmanned aircraft system manufacturer.

55 (4) An agency may not purchase or operate a small unmanned
56 aircraft system manufactured in the People's Republic of China.
57 For purposes of this section, the term "manufactured" includes a
58 small unmanned aircraft system that is assembled in a country
59 other than the People's Republic of China but which is comprised
60 of more than a negligible amount of parts, software, components or
61 raw materials originating in the People's Republic of China.

62 (5) The provisions of this section shall not apply to a
63 state institution of higher learning with a federally designated
64 research center when such institution is conducting research
65 regarding sUAS and related matters.

66 **SECTION 2.** Section 1 of this act shall be codified in Title
67 31, Chapter 7, Mississippi Code of 1972.

68 **SECTION 3.** This act shall take effect and be in force from
69 and after July 1, 2023.

