



**House State Government Reported Substitute for
SB231**

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A BILL
TO BE ENTITLED
AN ACT

Relating to the Legislature; to amend Section 29-4-4, Code of Alabama 1975, to provide security for the Legislature in the new Alabama State House, legislative parking deck, and park adjacent to the new Alabama State House and at official legislative events held off-site; to create the crime of unlawful use of unmanned aircraft systems within the Capitol complex; to provide for penalties; to exempt certain persons from the crime of unlawful use of unmanned aircraft systems within the Capitol complex; and to authorize the Alabama State Law Enforcement Agency to take certain actions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 29-4-4, Code of Alabama 1975, is amended to read as follows:

"§29-4-4

(a) Unless provided otherwise by law or applicable legislative rule or policy, security personnel employed by the House of Representatives and the Senate shall be responsible for the security of all of the following:

(1) The third, fourth, fifth, sixth, seventh, and eighth floors of the Alabama State House located at 11 South



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29 Union Street, such other areas within the Alabama State House
30 ~~as~~ which are occupied or used by the Legislature, and such
31 additional areas outside the Alabama State House in accordance
32 with Section 29-1-19.

33 (2) The new Alabama State House, as coordinated by the
34 Secretary of the Legislative Council, the Secretary of the
35 Senate, and the Clerk of the House of Representatives.

36 (3) The legislative parking deck and park located
37 between South Union Street and the new Alabama State House.

38 (4) During any official legislative event, as
39 designated by the President Pro Tempore of the Senate and
40 Speaker of the House of Representatives in coordination with
41 the Alabama State Law Enforcement Agency, held in the State of
42 Alabama away from the Capitol complex.

43 (b) The security officers employed under this chapter
44 shall have the powers of peace officers in this state and may
45 exercise those powers only in the areas designated in
46 subsection (a).

47 (c) The Alabama State Law Enforcement Agency, in
48 coordination with the Legislative Council, shall be
49 responsible for the security of the perimeter and points of
50 entry to the Alabama State House and new Alabama State House
51 as prescribed by the Legislative Council.

52 (d) (1) Every department, agency, and bureau of the
53 State of Alabama shall assist in any manner requested by the
54 Legislature in assuring the security of the areas of the
55 Alabama State House designated in subsection (a).

56 (2) Subsection (c) shall apply to any convening of the



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57 Legislature outside of the Capitol or away from the Alabama
58 State House in accordance with Sections 48 or 48.01 of the
59 Constitution of Alabama of 2022, or other applicable law.

60 (e) For purposes of this section, "new Alabama State
61 House" means the building bounded by Pelham Street, South
62 Jackson Street, and Washington Avenue in Montgomery."

63 Section 2. (a) For the purposes of this section, the
64 following terms have the following meanings:

65 (1) ALEA. The Alabama State Law Enforcement Agency.

66 (2) CAPITOL COMPLEX. Any of the following locations:

67 a. The Downtown Capitol Area.

68 b. The Alabama Governor's Mansion and all real property
69 situated between Cromwell Street and Finley Avenue and between
70 Court Street and Perry Street in Montgomery, Alabama.

71 c. Any official residence of the Governor of Alabama.

72 d. Any location designated by the secretary where the
73 House of Representatives, the Senate, the Supreme Court of
74 Alabama, the Alabama Court of Civil Appeals, or the Alabama
75 Court of Criminal Appeals convenes, or will convene, to
76 perform official business.

77 e. Any site of the construction or improvement of state
78 property within an area of the Capitol complex.

79 (3) CONDUCTING FLIGHT OPERATIONS. Any of the following
80 actions:

81 a. Manipulating the flight controls of an unmanned
82 aircraft system.

83 b. Acting as a remote pilot in command for a person
84 manipulating the flight controls of an unmanned aircraft



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85 system.

86 c. Acting as a visual observer for a person
87 manipulating the flight controls of an unmanned aircraft
88 system.

89 (4) DOWNTOWN CAPITOL AREA. All real property situated
90 between Madison Avenue and High Street and between Lawrence
91 Street and Hilliard Street in Montgomery, Alabama.

92 (5) SECRETARY. The Secretary of ALEA.

93 (6) UNMANNED AIRCRAFT. An aircraft operated without the
94 possibility of direct human intervention from within or on the
95 aircraft.

96 (7) UNMANNED AIRCRAFT SYSTEM or UAS. An unmanned
97 aircraft and its associated elements, including communication
98 links and the components that control the unmanned aircraft,
99 that are required for the safe and efficient operation of the
100 unmanned aircraft in the national airspace system.

101 (8) USE. When used in reference to an unmanned aircraft
102 system, any of the following actions:

103 a. Conducting flight operations for an unmanned
104 aircraft system.

105 b. Launching an unmanned aircraft.

106 c. Landing an unmanned aircraft, or otherwise allowing
107 an unmanned aircraft to make contact with any individual or
108 real or personal property.

109 d. Causing an unmanned aircraft to fly.

110 e. Causing an unmanned aircraft to drop any payload.

111 f. Causing an unmanned aircraft system to deploy or
112 discharge an attached weapon, firearm, explosive, destructive



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113 device, or ammunition.

114 (9) VICINITY. The area of physical space within 500
115 horizontal feet and 400 vertical feet of the perimeter of the
116 Capitol complex.

117 (b) (1) No person shall intentionally use a UAS to
118 conduct surveillance of, or photograph or otherwise record
119 images of, the Capitol complex for the purpose of committing a
120 criminal offense.

121 (2) A violation of subdivision (1) is a Class C felony.

122 (c) (1) No person shall intentionally or knowingly use a
123 UAS in the vicinity of the Capitol complex in a manner that
124 interferes with the operations of the Capitol complex or
125 causes a disturbance to the Capitol complex.

126 (2) A violation of subdivision (1) is a Class C felony.

127 (d) (1) No person shall, without written permission from
128 the secretary, intentionally or knowingly use a UAS in the
129 vicinity of any site of the construction or improvement of
130 state property within the Capitol complex.

131 (2) A violation of subdivision (1) is a Class C
132 misdemeanor for a first offense and is a Class B misdemeanor
133 for a second or subsequent offense.

134 (e) None of the following persons shall be subject to
135 the prohibition in subdivision (d) (1):

136 (1) The United States, including any agencies or
137 departments thereof.

138 (2) The State of Alabama, including any agencies or
139 departments thereof.

140 (3) An employee, agent, contractor, or other person



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141 acting under the direction or on behalf of the United States
142 or the State of Alabama if the person's use of a UAS is
143 performed within the line and scope of that relationship.

144 (4) A person conducting emergency law enforcement or
145 fire response operations.

146 (5) A person who uses a UAS in accordance with written
147 permission from the secretary, or with a permit issued by the
148 secretary, as established in subsection (g).

149 (f) (1) ALEA may take reasonable and necessary measures
150 against a UAS operating in violation of this section,
151 including all of the following measures:

152 a. Jamming, to the extent consistent with federal law
153 and regulations, including those of the Federal Communications
154 Commission.

155 b. Hacking.

156 c. Physical capture.

157 d. Any other reasonable mitigation measure undertaken
158 to neutralize, intercept, disable, or disrupt a UAS.

159 (2) ALEA may seize a UAS, any part thereof, and any
160 property attached to the aircraft or dropped therefrom if the
161 UAS, any part thereof, or any property attached to the
162 aircraft or dropped therefrom was used in violation of this
163 section.

164 (g) (1) The secretary, by rule, may designate additional
165 locations as within the Capitol complex and may establish
166 procedures for temporarily designating a location as within
167 the Capitol complex.

168 (2) The secretary, in consultation with the Governor,



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169 the Alabama Legislative Council, and the Alabama
170 Administrative Office of Courts, may establish by rule
171 permitting procedures for the use of a UAS in the vicinity of
172 the Capitol complex.

173 (3) The secretary may adopt any other rules necessary
174 to implement and enforce this section.

175 Section 3. This act shall become effective immediately.