
DIGEST

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HB 940 Reengrossed

2026 Regular Session

Berault

Abstract: Provides relative to the unlawful use of an unmanned aircraft system.

Proposed law defines the terms "forensic", "intercept", "rules of engagement", and "unmanned aircraft system".

Proposed law authorizes a law enforcement agency or officer to take reasonable mitigation measures against an unmanned aircraft system that the agency or officer reasonably suspects is engaged in illegal, nefarious, or threatening conduct.

Proposed law provides for interception or mitigation procedures.

Proposed law provides for training, maintenance of records of officer certifications, and the submission of an annual summary of training and operational incidents.

Proposed law establishes the Counter-Unmanned Aircraft Systems Joint Task Force (task force) under the jurisdiction of the Dept. of Public Safety and Corrections, office of state police and provides for the membership, powers, and duties of the task force.

Proposed law requires that forensic laboratories be accredited or approved by the task force or by federal agencies authorized to mitigate against unmanned aircraft systems.

Proposed law exempts information technology, equipment, related services, and software procured pursuant to the provisions of proposed law from the oversight and procurement authority of the office of technology services (OTS); however, requires all such procurements to be made in conformity with applicable state and federal procurement laws and regulations and requires OTS to assist with execution of the provisions of proposed law.

Proposed law requires the task force to prepare an annual report that summarizes certain information.

Proposed law provides that a law enforcement officer or agency who performs or supervises a mitigation of an unmanned aircraft system is presumed to have acted within the scope of lawful authority if he acts in good faith and in substantial compliance with proposed law.

Proposed law provides that immunity does not extend to acts of gross negligence, willful misconduct, or knowing violations of constitutional or statutory law. Further provides that nothing in proposed law precludes an individual from seeking judicial relief for unlawful actions or a

violation of rights.

Proposed law requires the Dept. of Public Safety and Corrections, office of state police, to adopt, amend, and repeal rules necessary in accordance with the Administrative Procedure Act (APA) to implement the provisions of proposed law. Further enumerates what is to be included in these rules. Proposed law requires the task force to approve each proposed rule, amendment, or repeal prior to the initiation of rulemaking pursuant to the APA.

Proposed law terminates June 30, 2028.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 14:337.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Remove provisions relative to the Attorney General.
2. Remove provisions relative to the Governor's Office of Homeland Security and Emergency Preparedness, except with respect to membership on the task force.
3. Add sunset date of June 30, 2028.
4. Add definitions.
5. Establish the task force under the jurisdiction of the Dept. of Public Safety and Corrections, office of state police, and provide for the powers and duties of the task force.
6. Change the membership of the task force.
7. Require the task force to approve any adoption, change, or repeal of rules relative to proposed law prior to the initiation of rulemaking authority pursuant to the APA.
8. Exempt IT procurements made pursuant to proposed law from the oversight and authority of OTS. Require OTS to assist with execution of proposed law.
9. Make technical and conforming changes.