

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: H3/30/23

# A Bill

HOUSE BILL 1653

5 By: Representative B. McKenzie  
6 By: Senator J. Boyd  
7

## For An Act To Be Entitled

9 AN ACT TO PROHIBIT THE PURCHASE OF SMALL UNMANNED  
10 AIRCRAFTS MANUFACTURED OR ASSEMBLED BY A COVERED  
11 FOREIGN ENTITY; AND FOR OTHER PURPOSES.  
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### Subtitle

15 TO PROHIBIT THE PURCHASE OF SMALL  
16 UNMANNED AIRCRAFTS MANUFACTURED OR  
17 ASSEMBLED BY A COVERED FOREIGN ENTITY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended  
23 to add an additional section to read as follows:

24 25-1-127. Purchase of small unmanned aircraft from covered foreign  
25 entity.

26 (a) As used in this section:

27 (1) "Covered foreign entity" means an individual, foreign  
28 government, or a party other than an individual or foreign government:

29 (A) On the Consolidated Screening List or Entity List as  
30 designated by the United States Secretary of Commerce;

31 (B) Domiciled in the People's Republic of China or the  
32 Russian Federation;

33 (C) Under the influence or control by the government of  
34 the People's Republic of China or the Russian Federation; or

35 (D) That is a subsidiary or affiliate of an individual,  
36 government or party referred to in subdivisions (a)(1)(A)-(C) of this



1 section;

2 (2) "Public entity" means the State of Arkansas, or a political  
3 subdivision of the state, including all boards, authorities, commissions,  
4 agencies, committees, councils, university departments, or other state  
5 entities created by the Arkansas Constitution or law; and

6 (3) "Small unmanned aircraft system" means an unmanned, powered  
7 aircraft:

8 (A) That:

9 (i) Is operated without the possibility of direct  
10 human intervention from within or on the aircraft;

11 (ii) Can be expendable or recoverable; and

12 (iii) Weighs less than fifty-five pounds (55 lbs.)  
13 including the weight of anything attached to or carried by the aircraft; and

14 (B) Including the associated elements that are required  
15 for the operator to operate the aircraft safely and efficiently in the  
16 national airspace system, including without limitation any communication  
17 links and the components that control the aircraft.

18 (b)(1) A public entity shall not purchase a small unmanned aircraft  
19 system that is manufactured or assembled by a covered foreign entity.

20 (2) Unless waived under subsection (d) of this section, state  
21 funds shall not be used to purchase a small unmanned aircraft system that is  
22 manufactured or assembled by a covered foreign entity, including without  
23 limitation state funds:

24 (A) Awarded through a contract, grant, or cooperative  
25 agreement; or

26 (B) Otherwise made available.

27 (c)(1) On or after May 1, 2027, a public entity shall not operate a  
28 small unmanned aircraft system manufactured or assembled by a covered foreign  
29 entity.

30 (2) Except as provided under subsection (d) of this section,  
31 state funds shall not be used in connection with the operation of a small  
32 unmanned aircraft system that is manufactured or assembled by a covered  
33 foreign entity, including without limitation state funds:

34 (A) Awarded through a contract, grant, or cooperative  
35 agreement; or

36 (B) Otherwise made available.

1           (d) The Secretary of the Department of Transformation and Shared  
2 Services may waive the restriction under subdivision (b)(2) or subdivision  
3 (c)(2) of this section upon:

4                   (1) His or her review of the necessity to purchase a small  
5 unmanned aircraft system that is manufactured or assembled by a covered  
6 foreign entity due to exigent circumstances, Counter Unmanned Aircraft  
7 Systems, or criminal investigative purposes; and

8                   (2) Notification to the General Assembly.

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11   */s/B. McKenzie*  
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14   **APPROVED: 4/10/23**  
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