

House Study Bill 752 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON PUBLIC
SAFETY BILL BY CHAIRPERSON
VONDRAN)

A BILL FOR

- 1 An Act relating to certain activities associated with foreign
2 entities in the state, providing penalties, and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

DRONES — SECURITY AND PROCUREMENT

Section 1. NEW SECTION. **8A.311C Remotely piloted aircraft — procurement — limitations — state and political subdivisions.**

The state or a political subdivision of the state shall not purchase, lease, or operate a remotely piloted aircraft, as defined in section 715E.1, that is manufactured, in whole or in part, by a company listed on the covered list developed pursuant to 47 C.F.R. §1.50002 and published by the public safety and homeland security bureau of the federal communications commission.

Sec. 2. NEW SECTION. **715E.3A Aggravated intrusion by use of a remotely piloted aircraft — offense.**

A person commits aggravated intrusion by the use of a remotely piloted aircraft if the person knowingly controls the flight of a remotely piloted aircraft within four hundred feet of a power plant, water treatment facility, or national guard facility, and the remotely piloted aircraft was manufactured outside of the United States. A person who commits aggravated intrusion by the use of a remotely piloted aircraft is guilty of a class "D" felony.

Sec. 3. **REMOTELY PILOTED AIRCRAFT — FLEET REPLACEMENT.** Each state entity and political subdivision of the state that owns, leases, or operates a remotely piloted aircraft, as defined in section 715E.1, shall develop a plan to replace all remotely piloted aircraft that were manufactured, in whole or in part, by a company listed on the covered list developed pursuant to 47 C.F.R. §1.50002 and published by the public safety and homeland security bureau of the federal communications commission, with remotely piloted aircraft listed on the blue list of the federal defense contract management agency.

Sec. 4. **REMOTELY PILOTED AIRCRAFT — PROTOCOL AUDIT.** The chief information officer of the department of management shall conduct an audit of the transmission protocols utilized by

1 remotely piloted aircraft, as defined in section 715E.1, operated
2 by state entities and political subdivisions of the state to
3 ensure compliance with the secure-by-design standards of the
4 federal cybersecurity and infrastructure security agency with
5 respect to data encryption and server localization.

6 DIVISION II

7 FOREIGN AGENTS — REGISTRATION

8 Sec. 5. NEW SECTION. **68B.37 Foreign agent registration —**
9 **penalties.**

10 1. a. A foreign principal or agent of a foreign principal
11 shall register with the board within forty-eight hours after
12 engaging in lobbying or political consulting in this state.

13 b. A foreign principal or agent of a foreign principal
14 that engages in lobbying or political consulting in this state
15 shall file with the board a copy of each contract, compensation
16 schedule, and communication log related to foreign-funded
17 influence operations targeting legislators or executive branch
18 agencies in this state.

19 c. Registration as a foreign principal or agent of a foreign
20 principal pursuant to the federal Foreign Agents Registration Act
21 of 1938, as amended, 22 U.S.C. §611 et seq., does not satisfy the
22 requirements of this subsection.

23 2. The board shall impose a civil penalty, to be deposited in
24 the general fund of the state, of one hundred dollars per day on
25 a person who fails to register as required by subsection 1, to a
26 maximum of five thousand dollars per violation.

27 3. For purposes of this section, "*foreign principal*" and
28 "*agent of a foreign principal*" mean the same as those terms are
29 defined in the federal Foreign Agents Registration Act of 1938,
30 as amended, 22 U.S.C. §611 et seq.

31 DIVISION III

32 INTERNATIONAL DIRECTIVES — STATE SOVEREIGNTY

33 Sec. 6. NEW SECTION. **1.19 International directives —**
34 **legislative approval — audit.**

35 1. A treaty, accord, emergency guideline, or other document

1 issued by the world health organization, united nations, or
2 world economic forum does not have the force of law in this
3 state unless the accord, emergency guideline, or other document
4 is affirmatively adopted as law in this state by the general
5 assembly.

6 2. The state of Iowa or a political subdivision of the state
7 of Iowa shall not use tax revenues or direct personnel to enforce
8 mandates derived from a treaty, accord, emergency guideline, or
9 other document issued by an international organization.

10 3. Each department, authority, and agency of this state shall
11 annually conduct a review of all memoranda of understanding
12 entered into by the department, authority, or agency to ensure
13 that the department, authority, or agency is not using any
14 resources of the state to support international regulatory goals
15 that have not been adopted as law in this state by the general
16 assembly.

17 4. The state of Iowa hereby affirms, pursuant to the tenth
18 amendment to the Constitution of the United States, that powers
19 relating to public health and police powers in this state reside
20 exclusively with the state of Iowa and not any international
21 organization.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill relates to certain activities associated with
26 foreign entities in the state.

27 DIVISION I — DRONES — SECURITY AND PROCUREMENT. The bill
28 prohibits the state or a political subdivision of the state from
29 purchasing, leasing, or operating a remotely piloted aircraft,
30 defined as a self-propelled vehicle used for navigation and
31 flight that is controlled by the use of an electronic system and
32 is not designed to carry a human, that is manufactured, in whole
33 or in part, by a company listed on the covered list published
34 by the public safety and homeland security bureau of the federal
35 communications commission.

1 The bill creates the crime of aggravated intrusion by the use
2 of a remotely piloted aircraft, which a person commits if the
3 person controls the flight of a remotely piloted aircraft, that
4 was manufactured outside of the United States, within 400 feet
5 of a power plant, water treatment facility, or national guard
6 facility. A person who commits aggravated intrusion by the use
7 of a remotely piloted aircraft is guilty of a class "D" felony.
8 A class "D" felony is punishable by confinement for no more than
9 five years and a fine of at least \$1,025 but not more than
10 \$10,245.

11 The bill requires each state entity and political subdivision
12 of the state that owns, leases, or operates a remotely piloted
13 aircraft to develop a plan to replace all remotely piloted
14 aircraft that were manufactured, in whole or in part, by a
15 company listed on the covered list published by the public
16 safety and homeland security bureau of the federal communications
17 commission with remotely piloted aircraft listed on the blue list
18 of the federal defense contract management agency.

19 The bill also requires the chief information officer of the
20 department of management to conduct an audit of the transmission
21 protocols utilized by remotely piloted aircraft operated by
22 state entities and political subdivisions of the state to ensure
23 compliance with the secure-by-design standards of the federal
24 cybersecurity and infrastructure security agency with respect to
25 data encryption and server localization.

26 DIVISION II — FOREIGN AGENTS — REGISTRATION. The bill
27 requires a foreign principal, or the agent of a foreign
28 principal, as defined in federal law, to register with the
29 Iowa ethics and campaign disclosure board (board) within 48
30 hours after engaging in lobbying or political consulting in
31 this state, as well as to file with the board a copy of each
32 contract, compensation schedule, and communication log related
33 to foreign-funded influence operations targeting legislators or
34 executive branch agencies in this state. The bill directs the
35 board to impose a civil penalty of \$100 per day on a person

1 who does not register as required by the bill, up to a maximum
2 penalty of \$5,000 for a single violation, to be deposited in the
3 general fund of the state.

4 By operation of law, a person who knowingly and intentionally
5 violates this provision of the bill is guilty of a serious
6 misdemeanor and may be reprimanded, suspended, or dismissed
7 from the person's position or otherwise sanctioned (Code section
8 68B.34). A serious misdemeanor is punishable by confinement for
9 no more than one year and a fine of at least \$430 but not more
10 than \$2,560.

11 DIVISION III — INTERNATIONAL DIRECTIVES — STATE
12 SOVEREIGNTY. The bill specifies that a treaty, accord, emergency
13 guideline, or other document issued by the world health
14 organization, united nations, or world economic forum does not
15 have the force of law in this state unless it is affirmatively
16 adopted as law in this state by the general assembly. The
17 bill also prohibits the state or a political subdivision of the
18 state from using tax revenues or directing personnel to enforce
19 mandates derived from a treaty, accord, emergency guideline, or
20 other document issued by an international organization. The bill
21 requires each department, authority, and agency of this state to
22 annually conduct a review of all memoranda of understanding to
23 ensure that the entity is not using any resources of the state to
24 support international regulatory goals that have not been adopted
25 as law in this state by the general assembly.

26 The bill affirms, pursuant to the 10th amendment to the
27 Constitution of the United States, that powers relating to public
28 health and police powers in this state reside exclusively with
29 the state of Iowa and not any international organization.