

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

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

7 DIVISION II

8 FOREIGN AGENTS — REGISTRATION

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

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

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

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

24 2. The board shall impose a civil penalty, to be deposited
25 in the general fund of the state, of one hundred dollars per
26 day on a person who fails to register as required by subsection
27 1, to a maximum of five thousand dollars per violation.

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

32 DIVISION III

33 INTERNATIONAL DIRECTIVES — STATE SOVEREIGNTY

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

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

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

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

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

24 EXPLANATION

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

27 This bill relates to certain activities associated with
28 foreign entities in the state.

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

1 the covered list published by the public safety and homeland
2 security bureau of the federal communications commission.

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

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

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

29 DIVISION II — FOREIGN AGENTS — REGISTRATION. The bill
30 requires a foreign principal, or the agent of a foreign
31 principal, as defined in federal law, to register with the
32 Iowa ethics and campaign disclosure board (board) within 48
33 hours after engaging in lobbying or political consulting in
34 this state, as well as to file with the board a copy of each
35 contract, compensation schedule, and communication log related

1 to foreign-funded influence operations targeting legislators
2 or executive branch agencies in this state. The bill directs
3 the board to impose a civil penalty of \$100 per day on a person
4 who does not register as required by the bill, up to a maximum
5 penalty of \$5,000 for a single violation, to be deposited in
6 the general fund of the state.

7 By operation of law, a person who knowingly and
8 intentionally violates this provision of the bill is guilty of
9 a serious misdemeanor and may be reprimanded, suspended, or
10 dismissed from the person's position or otherwise sanctioned
11 (Code section 68B.34). A serious misdemeanor is punishable by
12 confinement for no more than one year and a fine of at least
13 \$430 but not more than \$2,560.

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

30 The bill affirms, pursuant to the 10th amendment to the
31 Constitution of the United States, that powers relating
32 to public health and police powers in this state reside
33 exclusively with the state of Iowa and not any international
34 organization.