



General Assembly

Amendment

February Session, 2024

LCO No. 6132



Offered by:
REP. O'DEA, 125th Dist.

To: Subst. Senate Bill No. 3

File No. 182

Cal. No. 476

(As Amended by Senate Amendment Schedules "A" and "B")

"AN ACT CONCERNING CONSUMER PROTECTION."

1 Strike sections 2, 4 and 5 in their entirety and renumber the remaining
2 sections and internal references accordingly

3 Strike section 3 in its entirety and substitute the following in lieu
4 thereof:

5 "Sec. 3. (NEW) (*Effective July 1, 2024*) (a) As used in this section:

6 (1) "Covered foreign entity" means (A) any person who is included in
7 (i) the Consolidated Screening List maintained by the United States
8 Department of Commerce, United States Department of State and
9 United States Department of Treasury, or (ii) the Entity List,
10 Supplement 4 to 15 CFR Part 744, as amended from time to time, (B) the
11 People's Republic of China, the Russian Federation and any
12 governmental subdivision, agency or instrumentality thereof, (C) any
13 person domiciled in the People's Republic of China or the Russian

14 Federation, (D) any person under the control or influence of the People's
15 Republic of China or the Russian Federation, and (E) any affiliate or
16 subsidiary of any foreign government or person described in
17 subparagraphs (A) to (D), inclusive, of this subdivision;

18 (2) "Department head" has the same meaning as provided in section
19 4-5 of the general statutes;

20 (3) "Exigent circumstances" means significantly changed
21 circumstances that were unforeseeable and pose an imminent threat to
22 public health or safety;

23 (4) "Municipality" has the same meaning as provided in section 7-148
24 of the general statutes;

25 (5) "Person" means any individual, association, corporation, limited
26 liability company, partnership, trust, government, governmental
27 subdivision, agency, instrumentality or other legal entity;

28 (6) "Small unmanned aircraft system" (A) means any unmanned
29 powered aircraft that (i) is operated without the possibility of direct
30 human intervention from within or on the aircraft, and (ii) weighs less
31 than fifty-five pounds including anything attached to or carried by the
32 aircraft, and (B) includes (i) all elements that (I) are associated with the
33 aircraft described in subparagraph (A) of this subdivision, and (II) are
34 required for the operator to operate the aircraft described in
35 subparagraph (A) of this subdivision safely and efficiently in the
36 national airspace system, and (ii) any communication links and
37 components that control the aircraft described in subparagraph (A) of
38 this subdivision; and

39 (7) "State agency" means any agency with a department head.

40 (b) (1) Except as provided in subdivisions (2) and (3) of this
41 subsection and subsection (d) of this section:

42 (A) Beginning on October 1, 2024, the Department of Emergency
43 Services and Public Protection shall not purchase any small unmanned

44 aircraft system assembled or manufactured by a covered foreign entity;
45 and

46 (B) Beginning on October 1, 2026, the Department of Emergency
47 Services and Public Protection shall not operate any small unmanned
48 aircraft system assembled or manufactured by a covered foreign entity.

49 (2) The provisions of subparagraph (A) of subdivision (1) of this
50 subsection shall not be construed to impair any contract entered into
51 before October 1, 2024.

52 (3) The provisions of subparagraph (B) of subdivision (1) of this
53 subsection shall not be construed to impair any contract entered into
54 before October 1, 2026.

55 (c) (1) Except as provided in subdivisions (2) and (3) of this subsection
56 and subsection (d) of this section:

57 (A) Beginning on October 1, 2025, (i) no state agency or municipality,
58 or person who enters into a contract with any state agency or
59 municipality, shall purchase any small unmanned aircraft system
60 assembled or manufactured by a covered foreign entity, and (ii) no state
61 funds, including, but not limited to, any state funds awarded or paid
62 pursuant to a contract, cooperative agreement or grant, shall be used to
63 purchase any small unmanned aircraft system assembled or
64 manufactured by a covered foreign entity; and

65 (B) Beginning on October 1, 2027, (i) no state agency or municipality,
66 or person who enters into a contract with any state agency or
67 municipality, shall operate any small unmanned aircraft system
68 assembled or manufactured by a covered foreign entity, and (ii) no state
69 funds, including, but not limited to, any state funds awarded or paid
70 pursuant to a contract, cooperative agreement or grant, shall be used to
71 operate any small unmanned aircraft system assembled or
72 manufactured by a covered foreign entity.

73 (2) The provisions of subparagraph (A) of subdivision (1) of this

74 subsection shall not be construed to impair any contract entered into
75 before October 1, 2025.

76 (3) The provisions of subparagraph (B) of subdivision (1) of this
77 subsection shall not be construed to impair any contract entered into
78 before October 1, 2027.

79 (d) (1) During the period beginning July 1, 2024, and ending
80 December 31, 2034:

81 (A) The Commissioner of Emergency Services and Public Protection
82 may waive the prohibitions established in subdivision (1) of subsection
83 (b) of this section if (i) the commissioner determines that such waiver is
84 necessary (I) due to exigent circumstances, (II) to counter another small
85 unmanned aircraft system, (III) for the purposes of any criminal
86 investigation, or (IV) for reasons of affordability, and (ii) not later than
87 seven days after the Department of Emergency Services and Public
88 Protection uses the small unmanned aircraft system, the commissioner
89 creates a written statement, certified by the commissioner, disclosing (I)
90 the reason set forth in subparagraph (A)(i) of this subdivision that
91 provides the basis for the commissioner's determination that such
92 waiver is necessary, and (II) facts supporting the commissioner's
93 determination that such waiver is necessary for such reason; and

94 (B) The department head of the state agency, the chief law
95 enforcement officer of the municipality or the chief of the paid
96 municipal or volunteer fire department may waive the prohibitions
97 established in subdivision (1) of subsection (c) of this section if (i) the
98 department head or chief determines that such waiver is necessary (I)
99 due to exigent circumstances, (II) to counter another small unmanned
100 aircraft system, (III) for the purposes of any criminal investigation, or
101 (IV) for reasons of affordability, and (ii) not later than seven days after
102 the state agency, municipality or contractor uses the small unmanned
103 aircraft system, the department head or chief submits to the Department
104 of Emergency Services and Public Protection a written statement,
105 certified by the department head or chief, disclosing (I) the reason set

106 forth in subparagraph (B)(i) of this subdivision that provides the basis
107 for such department head's or chief's determination that such waiver is
108 necessary, and (II) facts supporting the department head's or chief's
109 determination that such waiver is necessary for such reason.

110 (2) The Department of Emergency Services and Public Protection
111 shall maintain each written statement created by the Commissioner of
112 Emergency Services and Public Protection pursuant to subparagraph
113 (A) of subdivision (1) of this subsection or submitted to the department
114 pursuant to subparagraph (B) of subdivision (1) of this subsection. The
115 commissioner shall, upon request, disclose a copy of any such written
116 statement to any member of the General Assembly. Each such written
117 statement shall be subject to disclosure under the Freedom of
118 Information Act, as defined in section 1-200 of the general statutes."