

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 660

Introduced by Andersen, 49; Bosn, 25; Holdcroft, 36; Sanders, 45;
Sorrentino, 39; Storer, 43.

Read first time January 22, 2025

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to government procurement; to adopt the Secure
- 2 Drone Purchasing Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 5 of this act shall be known and may be
2 cited as the Secure Drone Purchasing Act.

3 **Sec. 2.** The Legislature finds that it is in the interest of
4 Nebraska to ensure its security against espionage, surveillance, and
5 theft of intellectual property by the People's Republic of China and
6 other hostile actors. It is the intent of the Legislature to limit the
7 purchase of unmanned aircraft systems known to present a security threat
8 to the state, its businesses, and its residents and to encourage the
9 purchase of unmanned aircraft systems that are deemed secure.

10 **Sec. 3.** For purposes of the Secure Drone Purchasing Act:

11 (1) Division means the Division of Aeronautics of the Department of
12 Transportation; and

13 (2) The terms unmanned aerial system and drone are synonymous as
14 used in the act and mean a powered, aerial vehicle that:

15 (a) Does not carry a human operator and is operated without the
16 possibility of direct human intervention from within or on the aircraft;

17 (b) Uses aerodynamic forces to provide vehicle lift;

18 (c) Can fly autonomously or be piloted remotely; and

19 (d) Can be expendable or recoverable.

20 **Sec. 4.** (1) Effective January 1, 2027, no state agency shall
21 purchase or acquire a drone or unmanned aerial system other than those
22 cleared by the division pursuant to section 5 of this act.

23 (2) To the extent practicable, political subdivisions shall purchase
24 or acquire only those drones and unmanned aerial systems cleared by the
25 division pursuant to section 5 of this act.

26 (3) Effective January 1, 2027, no state funds shall be used to
27 purchase or acquire a drone or unmanned aerial system whose purchase
28 would be prohibited by section 5 of this act.

29 (4) A contract or agreement for the purchase or acquisition of a
30 drone or unmanned aerial system in violation of this section is void and
31 unenforceable.

1 **Sec. 5.** (1) On or before January 1, 2026, the division, in
2 consultation with the Department of Administrative Services, shall create
3 and regularly maintain a document known as the List of Secure Drones
4 Authorized for Purchase that contains names of devices and vendors of
5 drones and unmanned aerial systems that are:

6 (a) Cleared by the United States Department of Defense through its
7 Blue UAS Program;

8 (b) Determined to be compliant with the requirements of the National
9 Defense Authorization Act for Fiscal Year 2024, Public Law 118-31;

10 (c) Determined by the division to be designed, maintained, modified,
11 or operated in such a manner that they are incapable, under normal
12 operating conditions, of transmitting data to unauthorized persons or
13 entities; or

14 (d) Otherwise determined by the division to present no threat to the
15 security of the State of Nebraska.

16 (2) In creating and maintaining the List of Secure Drones Authorized
17 for Purchase, the division may consult with recognized cybersecurity
18 experts from the private and public sectors, the Nebraska State Patrol
19 and other law enforcement agencies, the Nebraska National Guard, the
20 Nebraska Emergency Management Agency, the office of the Chief Information
21 Officer, or other pertinent entities to ensure the integrity and security
22 of all data collected by unmanned aerial systems used in this state.

23 (3) The List of Secure Drones Authorized for Purchase shall be
24 published on the division's website and updated at least every six
25 months. The division may maintain the confidentiality of any information
26 and documents related to its assessment and decisionmaking process
27 collected or created under the Secure Drone Purchasing Act and withhold
28 such information from public disclosure pursuant to subdivision (5) of
29 section 84-712.05.

30 (4) Those devices and vendors on the division's List of Secure
31 Drones Authorized for Purchase shall be preferred over others in state

1 and local procurement actions.