

1 A bill to be entitled
 2 An act relating to drones; amending s. 934.50, F.S.;
 3 adding an exception to prohibited uses of a drone;
 4 providing an effective date.

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 6 Be It Enacted by the Legislature of the State of Florida:

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 8 Section 1. Paragraph (k) is added to subsection (4) of
 9 section 934.50, Florida Statutes, and subsection (3) of that
 10 section is republished, to read:

11 934.50 Searches and seizure using a drone.—

12 (3) PROHIBITED USE OF DRONES.—

13 (a) A law enforcement agency may not use a drone to gather
 14 evidence or other information.

15 (b) A person, a state agency, or a political subdivision
 16 as defined in s. 11.45 may not use a drone equipped with an
 17 imaging device to record an image of privately owned real
 18 property or of the owner, tenant, occupant, invitee, or licensee
 19 of such property with the intent to conduct surveillance on the
 20 individual or property captured in the image in violation of
 21 such person's reasonable expectation of privacy without his or
 22 her written consent. For purposes of this section, a person is
 23 presumed to have a reasonable expectation of privacy on his or
 24 her privately owned real property if he or she is not observable
 25 by persons located at ground level in a place where they have a

26 | legal right to be, regardless of whether he or she is observable
27 | from the air with the use of a drone.

28 | (4) EXCEPTIONS.—This section does not prohibit the use of
29 | a drone:

30 | (k) By a non-law enforcement employee of the Fish and
31 | Wildlife Conservation Commission or of the Florida Forest
32 | Service for the purposes of managing and eradicating invasive
33 | exotic plants or animals on public lands and suppressing and
34 | mitigating wildfire threats.

35 | Section 2. This act shall take effect July 1, 2020.