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LEGISLATIVE ACTION

Senate

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House

The Conference Committee on SB 2512 recommended the following:

Senate Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 287.1611, Florida Statutes, is created
to read:

287.1611 Executive aircraft pool; assignment of aircraft;
charge for transportation.—

(1) The executive aircraft pool is created within the
Department of Management Services for the purpose of providing



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12 state-owned aircraft for executive air travel. The pool must
13 consist of at least two aircraft.

14 (2) It shall be the responsibility of the state official
15 requesting the use of, or requesting travel in, an aircraft of
16 the executive aircraft pool to ensure that all such use or
17 travel is in compliance with s. 112.061. Each agency,
18 legislative entity, and the Supreme Court must maintain records
19 demonstrating evidence of such compliance.

20 (3) Each plane in the aircraft pool shall be designated and
21 assigned to a tier of traveler, and the priority order for
22 scheduling each of the aircraft is as follows:

23 (a) Aircraft one is designated for and may be used in the
24 following order of priority:

25 1. Lieutenant Governor.

26 2. Cabinet officers.

27 3. Chief Justice of the Supreme Court.

28 4. Justices of the Supreme Court.

29 (b) Aircraft two is designated for and may be used in the
30 following order of priority:

31 1. President of the Senate or Speaker of the House of
32 Representatives.

33 2. Chairs of standing committees of the Legislature.

34 3. Appointed secretaries and executive directors of
35 departments in the executive branch.

36 4. Chairs of the Florida Gaming Control Commission, Public
37 Service Commission, and the Florida Commission on Offender
38 Review.

39 (c) Trip requests for aircraft one and aircraft two must be
40 scheduled on a first-call, first-served basis, except in the



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event of a scheduling conflict the priority order must apply.

(4) It is the intent of the Legislature that the executive aircraft pool be operated on a full-cost-recovery basis, less available funds. The Department of Management Services shall charge state officials traveling on, or requesting the use of, aircraft from the executive aircraft pool a rate not less than the mileage allowance fixed by the Legislature for the use of privately owned vehicles. Payments collected for persons traveling by aircraft in the executive aircraft pool must be deposited into the department's Operating Trust Fund and must be expended for costs incurred to operate the aircraft management activities of the department.

Section 2. Subsection (7) of section 934.50, Florida Statutes, is amended to read:

934.50 Searches and seizure using a drone.—

(7) SECURITY STANDARDS FOR GOVERNMENTAL AGENCY DRONE USE.—

(a) As used in this subsection, the term:

1. "Department" means the Department of Management Services.

2. "Governmental agency" means any state, county, local, or municipal governmental entity or any unit of government created or established by law that uses a drone for any purpose.

3. "Foreign country of concern" means the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.

(b) By July ~~January~~ 1, 2022, and each July 1 thereafter,



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the department, in consultation with the state chief information officer, shall publish on the department's website a list of approved manufacturers and related model numbers whose drones may be purchased or otherwise acquired and used by a governmental agency under this section. An approved manufacturer shall not be located in, substantially owned, controlled, sponsored, commanded, managed, or dominated by a foreign country of concern, and must provide appropriate safeguards to protect the confidentiality, integrity, and availability of data collected, transmitted, or stored by a drone. The department may consult state and federal agencies and any relevant federal guidance in developing the list of approved manufacturers required under this paragraph. The department may update the list of approved manufacturers and model numbers, as needed, based on the emergence of new manufacturers and models that meet the security requirements of this section or if new information about an approved manufacturer or model obtained by the department would require that manufacturer or model to be removed from the approved list.

(c) Beginning July 1, 2022 ~~on the date the department publishes the list of approved drone manufacturers under paragraph (b),~~ a governmental agency may only purchase or otherwise acquire a drone from the an approved manufacturer and model list developed pursuant to paragraph (b) in effect at the time of the acquisition or purchase.

(d) By July 1, 2022, and each July 1 thereafter, when a drone not produced by an approved manufacturer or model remains in use, a governmental agency that uses such a ~~any~~ drone ~~not produced by an approved manufacturer~~ shall submit to the



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department a comprehensive plan for discontinuing the use of ~~that such a~~ drone. The department shall adopt rules identifying the requirements for the comprehensive plan of the comprehensive plan required under this paragraph.

(e) By July January 1, 2023, all governmental agencies must discontinue the use of drones that are not on the approved list of manufacturers and models not produced by an approved manufacturer. The department shall establish by rule, consistent with any federal guidance on drone security, minimum security requirements for governmental agency drone use to protect the confidentiality, integrity, and availability of data collected, transmitted, or stored by a drone. The department may consult federal agencies in establishing the minimum security requirements required under this paragraph.

(f) An agency that oversees the Florida Forest Service may request the department to grant a waiver for the acquisition or use of a drone from a manufacturer not on an approved list so long as the manufacturer is not located in, substantially owned, controlled, sponsored, commanded, managed, or dominated by a foreign country of concern. The department shall grant waivers to governmental agencies so long as the public's interest is protected. The department shall establish the process for waivers by rule in accordance with this paragraph.

Section 3. Subsection (5) of section 287.17, Florida Statutes, is amended to read:

287.17 Limitation on use of motor vehicles and aircraft.—

(5) A person who is not otherwise authorized in this section may accompany a state official identified in s. 287.1611 ~~the Governor, the Lieutenant Governor, a member of the Cabinet,~~



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~~the President of the Senate, the Speaker of the House of~~
~~Representatives, or the Chief Justice of the Supreme Court~~ when
such official is traveling on state aircraft for official state
business and the aircraft is traveling with seats available.
Transportation of a person accompanying any official specified
in this subsection must ~~shall~~ be approved by the official, who
shall ~~also~~ guarantee payment of the transportation charges. When
the person accompanying such official is not traveling on
official state business as provided in this section, the
transportation charge is ~~shall be~~ a prorated share of all fixed
and variable expenses related to the ownership, operation, and
use of such state aircraft. The spouse or immediate family
members of any official identified in s. 287.1611 ~~specified in~~
~~this subsection~~ may, with payment of transportation charges,
accompany the official when such official is traveling for
official state business and the aircraft has seats available.

Section 4. This act shall take effect July 1, 2022.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to aircraft; creating s. 287.1611,
F.S.; creating the executive aircraft pool within the
Department of Management Services; providing the
purpose for the pool; requiring a specified number of
aircraft; requiring state officials who request use of
or travel in pool aircraft to ensure that such use or



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travel complies with specified provisions; requiring specified governmental entities to maintain records demonstrating such compliance; designating the respective planes in the aircraft pool for use by specified persons; establishing the order of priority for use of each aircraft; providing that the use of such aircraft is on a first-call, first-served basis, except in the event of a scheduling conflict the priority order applies; providing legislative intent; requiring the department to charge all users a specified rate; requiring the collected funds to be deposited into the department's Operating Trust Fund; amending s. 934.50, F.S.; defining the term "foreign country of concern"; revising the date by which the department must annually publish a specified list; revising the contents of the list; prohibiting certain manufacturers from being on such list; authorizing the department to update such list as needed; authorizing a governmental agency to purchase drones only from such list, beginning on a specified date; requiring governmental agencies using nonapproved drones to submit a comprehensive plan to the department beginning on a specified date; prohibiting the use of nonapproved drones after a specified date; authorizing an agency overseeing the Florida Forest Service to request a waiver; requiring the department to grant such waivers under specified circumstances; requiring the department to adopt a certain rule; amending s. 287.17, F.S.; conforming provisions to changes made by



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186 the act; making technical changes; providing an
187 effective date.