1 A bill to be entitled 2 An act relating to the Unmanned Aircraft Systems Act; 3 amending s. 330.41, F.S.; revising the definition of 4 the term "critical infrastructure facility"; deleting 5 a provision requiring certain persons and governmental 6 entities to apply to the Federal Aviation 7 Administration to restrict or limit the operation of 8 drones in close proximity to certain infrastructure or 9 facilities; deleting a provision allowing a drone operating in transit for commercial purposes to 10 11 operate over a critical infrastructure facility under certain circumstances; providing for future sunset of 12 the definition of the term "critical infrastructure 13 facility"; providing an effective date. 14 15 16 Be It Enacted by the Legislature of the State of Florida: 17 18 Section 1. Paragraph (a) of subsection (2), paragraph (d) 19 of subsection (3), and paragraphs (d) and (e) of subsection (4) of section 330.41, Florida Statutes, are amended to read: 20 21 330.41 Unmanned Aircraft Systems Act.-22 DEFINITIONS. - As used in this act, the term: (2) 23 "Critical infrastructure facility" means any of the

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following, if completely enclosed by a fence or other physical

barrier that is obviously designed to exclude intruders, or if

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clearly marked with a sign or signs which indicate that entry is forbidden and which are posted on the property in a manner reasonably likely to come to the attention of intruders:

- 1. \underline{A} An electrical power generation or transmission facility, substation, switching station, or electrical control center.
 - 2. A chemical or rubber manufacturing or storage facility.
- 3. A water intake structure, water treatment facility, wastewater treatment plant, or pump station.
 - 4.3. A mining facility.

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- 5.4. A natural gas or compressed gas compressor station, storage facility, or natural gas or compressed gas pipeline.
- $\underline{6.5.}$ A liquid natural gas or propane gas terminal or storage facility with a capacity of 4,000 gallons or more.
 - 7.6. Any portion of an aboveground oil or gas pipeline.
- 8.7. A wireless communications facility, including the tower, antennae, support structures, and all associated ground-based equipment.
- 9. A deepwater port listed in s. 311.09(1) or a railroad switching yard. However, such deepwater port need not be completely enclosed by a fence or other physical barrier and need not be marked with a sign or signs indicating that entry is forbidden.
 - 10. An airport as defined in s. 330.27.
 - 11. A spaceport territory as defined in s. 331.303(18).

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51	12. A military installation listed in s. 163.3175(2).
52	13. A dam as defined in s. 373.403(1) or other structures,
53	such as locks, floodgates, or dikes, which are designed to
54	maintain or control the level of navigable waterways.
55	14.8. A state correctional institution as defined in s.
56	944.02 or a private correctional facility authorized under
57	chapter 957.
58	15.9. A secure detention center or facility, as defined in
59	s. 985.03, or a nonsecure residential facility, a high-risk
60	residential facility, or a maximum-risk residential facility, as
61	those terms are described in s. 985.03(44).
62	16.10. A county detention facility, as defined in s.
63	951.23.
64	(3) REGULATION.—
65	(d) A person or governmental entity seeking to restrict or
66	limit the operation of drones in close proximity to
67	infrastructure or facilities that the person or governmental
68	entity owns or operates must apply to the Federal Aviation
69	Administration for such designation pursuant to s. 2209 of the
70	FAA Extension, Safety, and Security Act of 2016.
71	(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—
72	(d) Subparagraph (a)1. does not apply to a drone operating
73	in transit for commercial purposes in compliance with Federal
74	Aviation Administration regulations, authorizations, or
75	exemptions.

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(d) (e) This subsection and paragraph (2)(a) shall sunset 60 days after the date that a process pursuant to s. 2209 of the FAA Extension, Safety and Security Act of 2016 becomes effective.

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Section 2. This act shall take effect July 1, 2023.

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