

By the Committee on Criminal Justice; and Senator Young

591-02584-18

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1 A bill to be entitled
2 An act relating to drones; amending s. 330.41, F.S.;
3 redefining the term "critical infrastructure
4 facility"; amending s. 934.50, F.S.; authorizing the
5 use of a drone if a law enforcement agency possesses
6 reasonable suspicion that, under particular
7 circumstances, swift action is needed to facilitate
8 the collection of evidence at a crime scene or traffic
9 crash scene; authorizing the use of a drone by a local
10 or state agency when used in the assessment of damage,
11 flood state, wildfire, or land management, or the
12 monitoring and collection of scientific or marketing
13 data; providing an effective date.

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

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17 Section 1. Paragraph (a) of subsection (2) of section
18 330.41, Florida Statutes, is amended to read:

19 330.41 Unmanned Aircraft Systems Act.—

20 (2) DEFINITIONS.—As used in this act, the term:

21 (a) "Critical infrastructure facility" means any of the
22 following, if completely enclosed by a fence or other physical
23 barrier that is obviously designed to exclude intruders, or if
24 clearly marked with a sign or signs which indicate that entry is
25 forbidden and which are posted on the property in a manner
26 reasonably likely to come to the attention of intruders:

27 1. An electrical power generation or transmission facility,
28 substation, switching station, or electrical control center.

29 2. A chemical or rubber manufacturing or storage facility.

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30 3. A mining facility.

31 4. A natural gas or compressed gas compressor station,
32 storage facility, or natural gas or compressed gas pipeline.

33 5. A liquid natural gas or propane gas terminal or storage
34 facility with a capacity of 4,000 gallons or more.

35 6. Any portion of an aboveground oil or gas pipeline.

36 7. A wireless communications facility, including the tower,
37 antennae, support structures, and all associated ground-based
38 equipment.

39 8. A state correctional institution as defined in s. 944.02
40 or a private correctional facility authorized under chapter 957.

41 9. A secure detention center or facility, a nonsecure
42 residential facility, a high-risk residential facility, or a
43 maximum-risk residential facility as defined in s. 985.03.

44 10. A county detention facility as defined in s. 951.23.

45 Section 2. Paragraph (c) of subsection (4) of section
46 934.50, Florida Statutes, is amended, and paragraph (k) is added
47 to that subsection, to read:

48 934.50 Searches and seizure using a drone.—

49 (4) EXCEPTIONS.—This section does not prohibit the use of a
50 drone:

51 (c) If the law enforcement agency possesses reasonable
52 suspicion that, under particular circumstances, swift action is
53 needed to prevent imminent danger to life or serious damage to
54 property;~~;~~ to forestall the imminent escape of a suspect or the
55 destruction of evidence; to facilitate the collection of
56 evidence at a crime scene or traffic crash scene;~~;~~ or to achieve
57 purposes including, but not limited to, facilitating the search
58 for a missing person.

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59 (k) By a local or state agency when used in the assessment
60 of damage, flood state, wildfire, or land management, or the
61 monitoring and collection of scientific or marketing data.

62 Section 3. This act shall take effect October 1, 2018.