

By Senator Albritton

26-00749A-20

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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 as  
16          defined in s. 11.45 may not use a drone equipped with an imaging  
17          device to record an image of privately owned real property or of  
18          the owner, tenant, occupant, invitee, or licensee of such  
19          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 a  
29          drone:

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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 purpose of managing and eradicating invasive  
33 exotic plants or animals on public lands.

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