

By the Committee on Governmental Oversight and Accountability;
and Senator Albritton

585-02630-20

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

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

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

934.50 Searches and seizure using a drone.—

(3) PROHIBITED USE OF DRONES.—

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

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

(4) EXCEPTIONS.—This section does not prohibit the use of a
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 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.