

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice & Public
2 Safety Subcommittee

3 Representative Giallombardo offered the following:

4
5 **Amendment (with directory and title amendments)**

6 Remove lines 23-36 and insert:

7 perspective of a crowd of 50 people or more, provided that:

8 1. The law enforcement agency that uses the drone to
9 provide an aerial perspective of a crowd of 50 people or more
10 must have policies and procedures that include guidelines:

11 a. For the agency's use of a drone;

12 b. For the proper storage, retention, and release of any
13 images or video captured by the drone; and

14 c. That address the personal safety and constitutional
15 protections of the people being observed.

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16 2. The head of the law enforcement agency using the drone
17 for this purpose must provide written authorization for such use
18 and must maintain a copy on file at the agency.

19 (e) To assist a law enforcement agency with traffic
20 management; however, a law enforcement agency acting under this
21 paragraph may not issue a traffic infraction citation based on
22 any images or video captured by a drone.

23 (f) To facilitate a law enforcement agency's collection of
24 evidence at a crime scene or traffic crash scene.

25 (g) By a state agency or political subdivision for the
26 assessment of damage due to a flood, a wildfire, or any other
27 natural disaster or for vegetation or wildlife management on
28 publicly owned land or water.

29 (h) By certified fire department personnel to perform
30 tasks within the scope and practice authorized under their
31 certifications

32 (7) SECURITY MEASURES.—

33 (a) A governmental agency, which means any state, county,
34 local, or municipal governmental entity or any unit of
35 government created or established by law that uses a drone as
36 authorized under this section, must take protective measures to
37 secure data collected by the drone. A governmental agency may
38 comply with this requirement by operating the drone in a manner
39 that ensures data is securely transmitted and which does not
40 require connecting the drone to the Internet or transmitting

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41 data through the use of the Internet. If a governmental agency
42 transmits data through the Internet, the data must be encrypted,
43 including all sensitive flight data such as location, flight
44 path, or other system control logs, whether the drone is in
45 transit or at rest.

46 (b) Any governmental agency that uses drone technology
47 must ensure that any information gathered in the operation and
48 management of the drone, including all associated software,
49 hardware, and data, remains within the borders of the United
50 States.

51 Section 2. For the purpose of incorporating the amendment
52 made by this act to section 934.50, Florida Statutes, in a
53 reference thereto, paragraph (c) of subsection (4) of section
54 330.41, Florida Statutes, is reenacted to read:

55 330.41 Unmanned Aircraft Systems Act.—

56 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

57 (c) This subsection does not apply to actions identified
58 in paragraph (a) which are committed by:

59 1. A federal, state, or other governmental entity, or a
60 person under contract or otherwise acting under the direction of
61 a federal, state, or other governmental entity.

62 2. A law enforcement agency that is in compliance with s.
63 934.50, or a person under contract with or otherwise acting
64 under the direction of such law enforcement agency.

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65 3. An owner, operator, or occupant of the critical
66 infrastructure facility, or a person who has prior written
67 consent of such owner, operator, or occupant.

68
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70 **D I R E C T O R Y A M E N D M E N T**

71 Remove line 13 and insert:
72 is amended, new paragraphs (d) through (h) are added to
73 subsection (4), and a new subsection (7) is added to that
74 section, to read:

75
76 -----
77 **T I T L E A M E N D M E N T**

78 Between lines 5 and 6, insert:
79 requiring governmental agencies to take specified protective
80 measures when using drones; requiring a governmental agency
81 using drone technology to ensure that specified information
82 remains within the borders of the United States; reenacting s.
83 330.41(4)(c), F.S., relating to unmanned aircraft systems, to
84 incorporate the amendment made to s. 934.50, F.S., in a
85 reference thereto;