

26 (a) A law enforcement agency may not use a drone to gather
 27 evidence or other information, except as provided in subsection
 28 (4).

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

31 (d) To provide a law enforcement agency with an aerial
 32 perspective of a crowd of 50 people or more, provided that:

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

36 a. For the agency's use of a drone.

37 b. For the proper storage, retention, and release of any
 38 images or video captured by the drone.

39 c. That address the personal safety and constitutional
 40 protections of the people being observed.

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

44 (e) To assist a law enforcement agency with traffic
 45 management; however, a law enforcement agency acting under this
 46 paragraph may not issue a traffic infraction citation based on
 47 images or video captured by a drone.

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

50 (g) By a state agency or political subdivision for the

51 assessment of damage due to a flood, a wildfire, or any other
52 natural disaster or for vegetation or wildlife management on
53 publicly owned land or water.

54 (h) By certified fire department personnel to perform
55 tasks within the scope and practice authorized under their
56 certifications.

57 (7) SECURITY MEASURES.— Any state, county, local, or
58 municipal governmental entity or any unit of government created
59 or established by law that uses a drone as authorized under this
60 section must:

61 (a) Take protective measures to secure data collected by
62 the drone. Such an entity or unit may comply with this
63 requirement by:

64 1. Operating the drone in a manner that ensures data is
65 securely transmitted and which does not require the drone to be
66 connected to the Internet or to transmit data through the use of
67 the Internet; or

68 2. Encrypting all data transmitted through the Internet or
69 use of the Internet, including all flight data such as location,
70 flight path, or other system control logs, whether the drone is
71 in transit or at rest.

72 (b) Ensure that any information gathered in the operation
73 and management of the drone, including all associated software,
74 hardware, and data, remains within the borders of the United
75 States.

76 Section 2. For the purpose of incorporating the amendment
77 made by this act to section 934.50, Florida Statutes, in a
78 reference thereto, paragraph (c) of subsection (4) of section
79 330.41, Florida Statutes, is reenacted to read:

80 330.41 Unmanned Aircraft Systems Act.—

81 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

84 1. A federal, state, or other governmental entity, or a
85 person under contract or otherwise acting under the direction of
86 a federal, state, or other governmental entity.

87 2. A law enforcement agency that is in compliance with s.
88 934.50, or a person under contract with or otherwise acting
89 under the direction of such law enforcement agency.

90 3. An owner, operator, or occupant of the critical
91 infrastructure facility, or a person who has prior written
92 consent of such owner, operator, or occupant.

93 Section 3. This act shall take effect July 1, 2021.