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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/CR	.	Floor: AD
03/14/2022 12:14 PM	.	03/14/2022 12:45 PM
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The Conference Committee on SB 2512 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 287.1611, Florida Statutes, is created
7 to read:

8 287.1611 Executive aircraft pool; assignment of aircraft;
9 charge for transportation.-

10 (1) The executive aircraft pool is created within the
11 Department of Management Services for the purpose of providing



12 state-owned aircraft for executive air travel. The pool must
13 consist of at least two aircraft.

14 (2) It shall be the responsibility of the state official
15 requesting the use of, or requesting travel in, an aircraft of
16 the executive aircraft pool to ensure that all such use or
17 travel is in compliance with s. 112.061. Each agency,
18 legislative entity, and the Supreme Court must maintain records
19 demonstrating evidence of such compliance.

20 (3) Each plane in the aircraft pool shall be designated and
21 assigned to a tier of traveler, and the priority order for
22 scheduling each of the aircraft is as follows:

23 (a) Aircraft one is designated for and may be used in the
24 following order of priority:

- 25 1. Lieutenant Governor.
- 26 2. Cabinet officers.
- 27 3. Chief Justice of the Supreme Court.
- 28 4. Justices of the Supreme Court.

29 (b) Aircraft two is designated for and may be used in the
30 following order of priority:

- 31 1. President of the Senate or Speaker of the House of
32 Representatives.
- 33 2. Chairs of standing committees of the Legislature.
- 34 3. Appointed secretaries and executive directors of
35 departments in the executive branch.
- 36 4. Chairs of the Florida Gaming Control Commission, Public
37 Service Commission, and the Florida Commission on Offender
38 Review.

39 (c) Trip requests for aircraft one and aircraft two must be
40 scheduled on a first-call, first-served basis, except in the



41 event of a scheduling conflict the priority order must apply.
42 (4) It is the intent of the Legislature that the executive
43 aircraft pool be operated on a full-cost-recovery basis, less
44 available funds. The Department of Management Services shall
45 charge state officials traveling on, or requesting the use of,
46 aircraft from the executive aircraft pool a rate not less than
47 the mileage allowance fixed by the Legislature for the use of
48 privately owned vehicles. Payments collected for persons
49 traveling by aircraft in the executive aircraft pool must be
50 deposited into the department's Operating Trust Fund and must be
51 expended for costs incurred to operate the aircraft management
52 activities of the department.

53 Section 2. Subsection (7) of section 934.50, Florida
54 Statutes, is amended to read:

55 934.50 Searches and seizure using a drone.—
56 (7) SECURITY STANDARDS FOR GOVERNMENTAL AGENCY DRONE USE.—
57 (a) As used in this subsection, the term:

58 1. "Department" means the Department of Management
59 Services.

60 2. "Governmental agency" means any state, county, local, or
61 municipal governmental entity or any unit of government created
62 or established by law that uses a drone for any purpose.

63 3. "Foreign country of concern" means the People's Republic
64 of China, the Russian Federation, the Islamic Republic of Iran,
65 the Democratic People's Republic of Korea, the Republic of Cuba,
66 the Venezuelan regime of Nicolás Maduro, or the Syrian Arab
67 Republic, including any agency of or any other entity under
68 significant control of such foreign country of concern.

69 (b) By July ~~January~~ 1, 2022, and each July 1 thereafter,



70 the department, in consultation with the state chief information
71 officer, shall publish on the department's website a list of
72 approved manufacturers and related model numbers whose drones
73 may be purchased or otherwise acquired and used by a
74 governmental agency under this section. An approved manufacturer
75 shall not be located in, substantially owned, controlled,
76 sponsored, commanded, managed, or dominated by a foreign country
77 of concern, and must provide appropriate safeguards to protect
78 the confidentiality, integrity, and availability of data
79 collected, transmitted, or stored by a drone. The department may
80 consult state and federal agencies and any relevant federal
81 guidance in developing the list of approved manufacturers
82 required under this paragraph. The department may update the
83 list of approved manufacturers and model numbers, as needed,
84 based on the emergence of new manufacturers and models that meet
85 the security requirements of this section or if new information
86 about an approved manufacturer or model obtained by the
87 department would require that manufacturer or model to be
88 removed from the approved list.

89 (c) Beginning July 1, 2022 ~~on the date the department~~
90 ~~publishes the list of approved drone manufacturers under~~
91 ~~paragraph (b),~~ a governmental agency may only purchase or
92 otherwise acquire a drone from the an approved manufacturer and
93 model list developed pursuant to paragraph (b) in effect at the
94 time of the acquisition or purchase.

95 (d) By July 1, 2022, and each July 1 thereafter, when a
96 drone not produced by an approved manufacturer or model remains
97 in use, a governmental agency that uses such a any drone not
98 ~~produced by an approved manufacturer~~ shall submit to the



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99 department a comprehensive plan for discontinuing the use of
100 ~~that such a~~ drone. The department shall adopt rules identifying
101 the requirements for the comprehensive plan of the comprehensive
102 ~~plan required under this paragraph.~~

103 (e) By July ~~January~~ 1, 2023, all governmental agencies must
104 discontinue the use of drones that are not on the approved list
105 of manufacturers and models not produced by an approved
106 ~~manufacturer~~. The department shall establish by rule, consistent
107 with any federal guidance on drone security, minimum security
108 requirements for governmental agency drone use to protect the
109 confidentiality, integrity, and availability of data collected,
110 transmitted, or stored by a drone. The department may consult
111 federal agencies in establishing the minimum security
112 requirements required under this paragraph.

113 (f) An agency that oversees the Florida Forest Service may
114 request the department to grant a waiver for the acquisition or
115 use of a drone from a manufacturer not on an approved list so
116 long as the manufacturer is not located in, substantially owned,
117 controlled, sponsored, commanded, managed, or dominated by a
118 foreign country of concern. The department shall grant waivers
119 to governmental agencies so long as the public's interest is
120 protected. The department shall establish the process for
121 waivers by rule in accordance with this paragraph.

122 Section 3. Subsection (5) of section 287.17, Florida
123 Statutes, is amended to read:

124 287.17 Limitation on use of motor vehicles and aircraft.—

125 (5) A person who is not otherwise authorized in this
126 section may accompany a state official identified in s. 287.1611
127 ~~the Governor, the Lieutenant Governor, a member of the Cabinet,~~



128 ~~the President of the Senate, the Speaker of the House of~~
129 ~~Representatives, or the Chief Justice of the Supreme Court~~ when
130 such official is traveling on state aircraft for official state
131 business and the aircraft is traveling with seats available.
132 Transportation of a person accompanying any official specified
133 in this subsection must ~~shall~~ be approved by the official, who
134 shall ~~also~~ guarantee payment of the transportation charges. When
135 the person accompanying such official is not traveling on
136 official state business as provided in this section, the
137 transportation charge is ~~shall be~~ a prorated share of all fixed
138 and variable expenses related to the ownership, operation, and
139 use of such state aircraft. The spouse or immediate family
140 members of any official identified in s. 287.1611 ~~specified in~~
141 ~~this subsection~~ may, with payment of transportation charges,
142 accompany the official when such official is traveling for
143 official state business and the aircraft has seats available.

144 Section 4. This act shall take effect July 1, 2022.

145
146 ===== T I T L E A M E N D M E N T =====

147 And the title is amended as follows:

148 Delete everything before the enacting clause
149 and insert:

150 A bill to be entitled
151 An act relating to aircraft; creating s. 287.1611,
152 F.S.; creating the executive aircraft pool within the
153 Department of Management Services; providing the
154 purpose for the pool; requiring a specified number of
155 aircraft; requiring state officials who request use of
156 or travel in pool aircraft to ensure that such use or



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157 travel complies with specified provisions; requiring
158 specified governmental entities to maintain records
159 demonstrating such compliance; designating the
160 respective planes in the aircraft pool for use by
161 specified persons; establishing the order of priority
162 for use of each aircraft; providing that the use of
163 such aircraft is on a first-call, first-served basis,
164 except in the event of a scheduling conflict the
165 priority order applies; providing legislative intent;
166 requiring the department to charge all users a
167 specified rate; requiring the collected funds to be
168 deposited into the department's Operating Trust Fund;
169 amending s. 934.50, F.S.; defining the term "foreign
170 country of concern"; revising the date by which the
171 department must annually publish a specified list;
172 revising the contents of the list; prohibiting certain
173 manufacturers from being on such list; authorizing the
174 department to update such list as needed; authorizing
175 a governmental agency to purchase drones only from
176 such list, beginning on a specified date; requiring
177 governmental agencies using nonapproved drones to
178 submit a comprehensive plan to the department
179 beginning on a specified date; prohibiting the use of
180 nonapproved drones after a specified date; authorizing
181 an agency overseeing the Florida Forest Service to
182 request a waiver; requiring the department to grant
183 such waivers under specified circumstances; requiring
184 the department to adopt a certain rule; amending s.
185 287.17, F.S.; conforming provisions to changes made by



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the act; making technical changes; providing an
effective date.