

20222512er

1
2 An act relating to aircraft; creating s. 287.1611,
3 F.S.; creating the executive aircraft pool within the
4 Department of Management Services; providing the
5 purpose for the pool; requiring a specified number of
6 aircraft; requiring state officials who request use of
7 or travel in pool aircraft to ensure that such use or
8 travel complies with specified provisions; requiring
9 specified governmental entities to maintain records
10 demonstrating such compliance; designating the
11 respective planes in the aircraft pool for use by
12 specified persons; establishing the order of priority
13 for use of each aircraft; providing that the use of
14 such aircraft is on a first-call, first-served basis,
15 except in the event of a scheduling conflict the
16 priority order applies; providing legislative intent;
17 requiring the department to charge all users a
18 specified rate; requiring the collected funds to be
19 deposited into the department's Operating Trust Fund;
20 amending s. 934.50, F.S.; defining the term "foreign
21 country of concern"; revising the date by which the
22 department must annually publish a specified list;
23 revising the contents of the list; prohibiting certain
24 manufacturers from being on such list; authorizing the
25 department to update such list as needed; authorizing
26 a governmental agency to purchase drones only from
27 such list, beginning on a specified date; requiring
28 governmental agencies using nonapproved drones to
29 submit a comprehensive plan to the department

20222512er

30 beginning on a specified date; prohibiting the use of
31 nonapproved drones after a specified date; authorizing
32 an agency overseeing the Florida Forest Service to
33 request a waiver; requiring the department to grant
34 such waivers under specified circumstances; requiring
35 the department to adopt a certain rule; amending s.
36 287.17, F.S.; conforming provisions to changes made by
37 the act; making technical changes; providing an
38 effective date.

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Section 287.1611, Florida Statutes, is created
43 to read:

44 287.1611 Executive aircraft pool; assignment of aircraft;
45 charge for transportation.-

46 (1) The executive aircraft pool is created within the
47 Department of Management Services for the purpose of providing
48 state-owned aircraft for executive air travel. The pool must
49 consist of at least two aircraft.

50 (2) It shall be the responsibility of the state official
51 requesting the use of, or requesting travel in, an aircraft of
52 the executive aircraft pool to ensure that all such use or
53 travel is in compliance with s. 112.061. Each agency,
54 legislative entity, and the Supreme Court must maintain records
55 demonstrating evidence of such compliance.

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

20222512er

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

- 61 1. Lieutenant Governor.
62 2. Cabinet officers.
63 3. Chief Justice of the Supreme Court.
64 4. Justices of the Supreme Court.

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

- 67 1. President of the Senate or Speaker of the House of
68 Representatives.
69 2. Chairs of standing committees of the Legislature.
70 3. Appointed secretaries and executive directors of
71 departments in the executive branch.
72 4. Chairs of the Florida Gaming Control Commission, Public
73 Service Commission, and the Florida Commission on Offender
74 Review.

75 (c) Trip requests for aircraft one and aircraft two must be
76 scheduled on a first-call, first-served basis, except in the
77 event of a scheduling conflict the priority order must apply.

78 (4) It is the intent of the Legislature that the executive
79 aircraft pool be operated on a full-cost-recovery basis, less
80 available funds. The Department of Management Services shall
81 charge state officials traveling on, or requesting the use of,
82 aircraft from the executive aircraft pool a rate not less than
83 the mileage allowance fixed by the Legislature for the use of
84 privately owned vehicles. Payments collected for persons
85 traveling by aircraft in the executive aircraft pool must be
86 deposited into the department's Operating Trust Fund and must be
87 expended for costs incurred to operate the aircraft management

20222512er

88 activities of the department.

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

91 934.50 Searches and seizure using a drone.—

92 (7) SECURITY STANDARDS FOR GOVERNMENTAL AGENCY DRONE USE.—

93 (a) As used in this subsection, the term:

94 1. "Department" means the Department of Management
95 Services.

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

99 3. "Foreign country of concern" means the People's Republic
100 of China, the Russian Federation, the Islamic Republic of Iran,
101 the Democratic People's Republic of Korea, the Republic of Cuba,
102 the Venezuelan regime of Nicolás Maduro, or the Syrian Arab
103 Republic, including any agency of or any other entity under
104 significant control of such foreign country of concern.

105 (b) By July January 1, 2022, and each July 1 thereafter,
106 the department, in consultation with the state chief information
107 officer, shall publish on the department's website a list of
108 approved manufacturers and related model numbers whose drones
109 may be purchased or otherwise acquired and used by a
110 governmental agency under this section. An approved manufacturer
111 shall not be located in, substantially owned, controlled,
112 sponsored, commanded, managed, or dominated by a foreign country
113 of concern, and must provide appropriate safeguards to protect
114 the confidentiality, integrity, and availability of data
115 collected, transmitted, or stored by a drone. The department may
116 consult state and federal agencies and any relevant federal

20222512er

117 guidance in developing the list of approved manufacturers
118 required under this paragraph. The department may update the
119 list of approved manufacturers and model numbers, as needed,
120 based on the emergence of new manufacturers and models that meet
121 the security requirements of this section or if new information
122 about an approved manufacturer or model obtained by the
123 department would require that manufacturer or model to be
124 removed from the approved list.

125 (c) Beginning July 1, 2022 ~~on the date the department~~
126 ~~publishes the list of approved drone manufacturers under~~
127 ~~paragraph (b),~~ a governmental agency may only purchase or
128 otherwise acquire a drone from the an approved manufacturer and
129 model list developed pursuant to paragraph (b) in effect at the
130 time of the acquisition or purchase.

131 (d) By July 1, 2022, and each July 1 thereafter, when a
132 drone not produced by an approved manufacturer or model remains
133 in use, a governmental agency that uses such a any drone ~~not~~
134 ~~produced by an approved manufacturer~~ shall submit to the
135 department a comprehensive plan for discontinuing the use of
136 that such a drone. The department shall adopt rules identifying
137 the requirements for the comprehensive plan ~~of the comprehensive~~
138 ~~plan required under this paragraph.~~

139 (e) By July ~~January~~ 1, 2023, all governmental agencies must
140 discontinue the use of drones that are not on the approved list
141 of manufacturers and models ~~not produced by an approved~~
142 ~~manufacturer.~~ The department shall establish by rule, consistent
143 with any federal guidance on drone security, minimum security
144 requirements for governmental agency drone use to protect the
145 confidentiality, integrity, and availability of data collected,

20222512er

146 transmitted, or stored by a drone. The department may consult
147 federal agencies in establishing the minimum security
148 requirements required under this paragraph.

149 (f) An agency that oversees the Florida Forest Service may
150 request the department to grant a waiver for the acquisition or
151 use of a drone from a manufacturer not on an approved list so
152 long as the manufacturer is not located in, substantially owned,
153 controlled, sponsored, commanded, managed, or dominated by a
154 foreign country of concern. The department shall grant waivers
155 to governmental agencies so long as the public's interest is
156 protected. The department shall establish the process for
157 waivers by rule in accordance with this paragraph.

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

160 287.17 Limitation on use of motor vehicles and aircraft.—

161 (5) A person who is not otherwise authorized in this
162 section may accompany a state official identified in s. 287.1611
163 ~~the Governor, the Lieutenant Governor, a member of the Cabinet,~~
164 ~~the President of the Senate, the Speaker of the House of~~
165 ~~Representatives, or the Chief Justice of the Supreme Court~~ when
166 such official is traveling on state aircraft for official state
167 business and the aircraft is traveling with seats available.
168 Transportation of a person accompanying any official specified
169 in this subsection must ~~shall~~ be approved by the official, who
170 shall ~~also~~ guarantee payment of the transportation charges. When
171 the person accompanying such official is not traveling on
172 official state business as provided in this section, the
173 transportation charge is ~~shall be~~ a prorated share of all fixed
174 and variable expenses related to the ownership, operation, and

20222512er

175 use of such state aircraft. The spouse or immediate family
176 members of any official identified in s. 287.1611 ~~specified in~~
177 ~~this subsection~~ may, with payment of transportation charges,
178 accompany the official when such official is traveling for
179 official state business and the aircraft has seats available.

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