

FOR CONSIDERATION By the Committee on Appropriations

576-02392-22

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1 A bill to be entitled
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 that state officials who request
7 use of or travel in pool aircraft ensure that such use
8 or travel comply 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, and establishing the order of
13 priority for use of each aircraft; providing that the
14 use of such aircraft is on a first-call, first-served
15 basis 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.; requiring the department, in
21 consultation with the state chief information officer,
22 to annually publish a list of approved drone
23 manufacturers from which a governmental agency may
24 purchase or acquire drones; requiring such agencies to
25 purchase drones only from approved manufacturers
26 beginning on a specified date; authorizing agencies to
27 request a waiver for the purchase or acquisition of a
28 drone from a nonapproved manufacturer if a certain
29 condition exists; requiring an agency using a drone

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30 from a nonapproved manufacturer to submit a certain
31 explanation to the department; requiring agencies to
32 discontinue the use of a drone from a nonapproved
33 manufacturer beginning on a specified date;
34 authorizing agencies to request a waiver to continue
35 to use a drone from a nonapproved manufacturer if a
36 certain condition exists beginning on a specified
37 date; requiring the department to grant a waiver if a
38 certain condition is met; amending s. 287.17, F.S.;
39 conforming provisions to changes made by the act;
40 making technical changes; providing an effective date.

41
42 Be It Enacted by the Legislature of the State of Florida:

43
44 Section 1. Section 287.1611, Florida Statutes, is created
45 to read:

46 287.1611 Executive aircraft pool; assignment of aircraft;
47 charge for transportation.—

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

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

58 (3) Each plane in the aircraft pool shall be designated and

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59 assigned to a tier of traveler, and the priority order for
60 scheduling each of the aircraft is as follows:

61 (a) Aircraft one is designated for and may be used solely
62 for the Governor's travel.

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

65 1. Lieutenant Governor.

66 2. Cabinet officers.

67 3. Chief Justice of the Supreme Court.

68 4. Justices of the Supreme Court.

69 (c) Aircraft three is designated for and may be used in the
70 following order of priority:

71 1. President of the Senate or Speaker of the House of
72 Representatives.

73 2. Chairs of standing committees of the Legislature.

74 3. Appointed secretaries and executive directors of
75 departments in the executive branch.

76 4. Chairs of the Florida Gaming Control Commission, Public
77 Service Commission, and the Florida Commission on Offender
78 Review.

79 (d) Trip requests for aircraft two and aircraft three must
80 be scheduled on a first-call, first-served basis, except in the
81 event of a scheduling conflict the priority order must apply.

82 (4) It is the intent of the Legislature that the executive
83 aircraft pool be operated on a full-cost-recovery basis, less
84 available funds. The Department of Management Services shall
85 charge state officials travelling on, or requesting the use of,
86 aircraft from the executive aircraft pool a rate not less than
87 the mileage allowance fixed by the Legislature for the use of

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88 privately owned vehicles. Payments collected for persons
89 traveling by aircraft in the executive aircraft pool must be
90 deposited into the department's Operating Trust Fund and must be
91 expended for costs incurred to operate the aircraft management
92 activities of the department.

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

95 934.50 Searches and seizure using a drone.—

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

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

98 1. "Department" means the Department of Management
99 Services.

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

103 (b) By January 1, 2022, and each January 1 thereafter, the
104 department, in consultation with the state chief information
105 officer, shall publish on the department's website a list of
106 approved manufacturers whose drones may be purchased or
107 otherwise acquired and used by a governmental agency under this
108 section. An approved manufacturer must provide appropriate
109 safeguards to protect the confidentiality, integrity, and
110 availability of data collected, transmitted, or stored by a
111 drone. The department may consult state and federal agencies and
112 any relevant federal guidance in developing the list of approved
113 manufacturers required under this paragraph.

114 (c) Beginning June 30, 2023 ~~on the date the department~~
115 ~~publishes the list of approved drone manufacturers under~~
116 ~~paragraph (b),~~ a governmental agency may ~~only~~ purchase or

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117 otherwise acquire a drone only from the an approved manufacturer
118 list developed pursuant to paragraph (b) in effect at the time
119 of the acquisition or purchase. However, a governmental agency
120 may request that the department grant a waiver to allow the
121 purchase or acquisition of a drone from a manufacturer not on
122 the approved list. The department shall grant waivers to
123 governmental agencies provided that the public's interest is
124 protected.

125 (d) By July 1, 2022, and each July 1 thereafter when a
126 drone not produced by an approved manufacturer remains in use, a
127 governmental agency that uses such a any drone not produced by
128 an approved manufacturer shall submit to the department a
129 comprehensive plan for discontinuing the use of that such a
130 drone or shall provide to the department an explanation as to
131 why continued use of that drone is necessary for the operations
132 of the governmental agency. The department shall adopt rules
133 identifying the requirements for the comprehensive plan of the
134 comprehensive plan required under this paragraph.

135 (e) By January 1, 2024 ~~January 1, 2023~~, all governmental
136 agencies must discontinue the use of drones not produced by an
137 approved manufacturer. However, a governmental agency may
138 request the department to grant a waiver for the use of a drone
139 from a manufacturer not on an approved list. The department
140 shall grant waivers to governmental agencies as long as the
141 public's interest is protected. The department shall establish
142 by rule, consistent with any federal guidance on drone security,
143 minimum security requirements for governmental agency drone use
144 to protect the confidentiality, integrity, and availability of
145 data collected, transmitted, or stored by a drone. The

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146 department may consult federal agencies in establishing the
147 minimum security requirements required under this paragraph.

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

150 287.17 Limitation on use of motor vehicles and aircraft.—

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

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