

Amendment No.

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WITHDRAWN	_____	(Y/N)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		

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1 Committee/Subcommittee hearing bill: Local Administration,  
 2 Federal Affairs & Special Districts Subcommittee  
 3 Representative Duggan offered the following:

**Amendment**

Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (c) of subsection (2) of section  
 8 330.41, Florida Statutes, is redesignated as paragraph (e), new  
 9 paragraphs (c) and (d) are added to that subsection, paragraphs  
 10 (c) and (d) of subsection (3) are redesignated as paragraphs (d)  
 11 and (e), respectively, and a new paragraph (c) is added to that  
 12 subsection, to read:

13 330.41 Unmanned Aircraft Systems Act.—

14 (2) DEFINITIONS.—As used in this act, the term:

15 (c) "Drone delivery service" means a person or entity  
 16 engaged in a business or profession of delivering goods via

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17 drone and who is governed by Title 14 of the Code of Federal  
18 Regulations.

19 (d) "Drone port" means a stand-alone building that does  
20 not exceed 1,500 square feet in area or 36 feet in height; is  
21 located in a nonresidential area; is used, or intended for use,  
22 by a drone delivery service for the storage, launch, landing and  
23 observation of drones; was constructed using Type I or Type II  
24 construction as described in the Florida Building Code; and  
25 includes at least one stairwell compliant with the Florida  
26 Building Code.

27 (3) REGULATION.—

28 (c) Except as otherwise expressly provided, a political  
29 subdivision may not withhold issuance of a business tax receipt  
30 to a drone delivery service or enact or enforce an ordinance or  
31 resolution that prohibits a drone delivery service's operation  
32 based on the location of its drone port, notwithstanding part II  
33 of chapter 163 and chapter 205.

34 Section 2. Paragraph (1) is added to subsection (10) of  
35 section 553.73, Florida Statutes, to read:

36 553.73 Florida Building Code.—

37 (10) The following buildings, structures, and facilities  
38 are exempt from the Florida Building Code as provided by law,  
39 and any further exemptions shall be as determined by the  
40 Legislature and provided by law:

41 (1) A drone port as defined in s. 330.41(2).

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42  
43 With the exception of paragraphs (a), (b), (c), and (f), in  
44 order to preserve the health, safety, and welfare of the public,  
45 the Florida Building Commission may, by rule adopted pursuant to  
46 chapter 120, provide for exceptions to the broad categories of  
47 buildings exempted in this section, including exceptions for  
48 application of specific sections of the code or standards  
49 adopted therein. The Department of Agriculture and Consumer  
50 Services shall have exclusive authority to adopt by rule,  
51 pursuant to chapter 120, exceptions to nonresidential farm  
52 buildings exempted in paragraph (c) when reasonably necessary to  
53 preserve public health, safety, and welfare. The exceptions must  
54 be based upon specific criteria, such as under-roof floor area,  
55 aggregate electrical service capacity, HVAC system capacity, or  
56 other building requirements. Further, the commission may  
57 recommend to the Legislature additional categories of buildings,  
58 structures, or facilities which should be exempted from the  
59 Florida Building Code, to be provided by law. The Florida  
60 Building Code does not apply to temporary housing provided by  
61 the Department of Corrections to any prisoner in the state  
62 correctional system.

63 Section 3. Paragraphs (a) and (b) of subsection (16) of  
64 section 633.202, Florida Statutes, are amended to read:

65 633.202 Florida Fire Prevention Code.—

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

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67 1. "Agricultural pole barn" means a nonresidential farm  
68 building in which 70 percent or more of the perimeter walls are  
69 permanently open and allow free ingress and egress.

70 2. "Drone port" has the same meaning as provided in s.  
71 330.41(2).

72 3.2. "Nonresidential farm building" has the same meaning  
73 as provided in s. 604.50.

74 (b) Notwithstanding any other provision of law:

75 1. A nonresidential farm building in which the occupancy  
76 is limited by the property owner to no more than 35 persons is  
77 exempt from the Florida Fire Prevention Code, including the  
78 national codes and Life Safety Code incorporated by reference.

79 2. An agricultural pole barn is exempt from the Florida  
80 Fire Prevention Code, including the national codes and the Life  
81 Safety Code incorporated by reference.

82 3. Except for an agricultural pole barn, a structure on a  
83 farm, as defined in s. 823.14(3)(c), which is used by an owner  
84 for agritourism activity, as defined in s. 570.86, for which the  
85 owner receives consideration must be classified in one of the  
86 following classes:

87 a. Class 1: A nonresidential farm building that is used by  
88 the owner 12 or fewer times per year for agritourism activity  
89 with up to 100 persons occupying the structure at one time. A  
90 structure in this class is subject to annual inspection for  
91 classification by the local authority having jurisdiction. This

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92 class is not subject to the Florida Fire Prevention Code but is  
93 subject to rules adopted by the State Fire Marshal pursuant to  
94 this section.

95 b. Class 2: A nonresidential farm building that is used by  
96 the owner for agritourism activity with up to 300 persons  
97 occupying the structure at one time. A structure in this class  
98 is subject to annual inspection for classification by the local  
99 authority having jurisdiction. This class is not subject to the  
100 Florida Fire Prevention Code but is subject to rules adopted by  
101 the State Fire Marshal pursuant to this section.

102 c. Class 3: A structure or facility that is used primarily  
103 for housing, sheltering, or otherwise accommodating members of  
104 the general public. A structure or facility in this class is  
105 subject to annual inspection for classification by the local  
106 authority having jurisdiction. This class is subject to the  
107 Florida Fire Prevention Code.

108 4. A drone port is exempt from provisions of the Florida  
109 Fire Prevention Code, including national codes and the Life  
110 Safety Code incorporated by reference, concerning fire  
111 protection systems as defined in s. 633.102.

112 Section 4. This act shall take effect July 1, 2023.

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