

1 A bill to be entitled
 2 An act relating to drone delivery services; amending
 3 s. 330.41, F.S.; providing definitions; prohibiting a
 4 political subdivision from taking certain actions
 5 against a drone delivery service based on the location
 6 of its drone port; amending s. 553.73, F.S.; exempting
 7 drone ports from the Florida Building Code; providing
 8 an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (c) of subsection (2) of section
 13 330.41, Florida Statutes, is redesignated as paragraph (e), new
 14 paragraphs (c) and (d) are added to that subsection, paragraphs
 15 (c) and (d) of subsection (3) are redesignated as paragraphs (d)
 16 and (e), respectively, and a new paragraph (c) is added to that
 17 subsection, to read:

18 330.41 Unmanned Aircraft Systems Act.—

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

20 (c) "Drone delivery service" means a person or entity
 21 engaged in a business or profession of delivering goods via
 22 drone and who is governed by Title 14 of the Code of Federal
 23 Regulations.

24 (d) "Drone port" means an area of nonresidential land or
 25 water which is used or intended for use by a drone delivery

26 service for the launch and landing of drones.

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).

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. This act shall take effect July 1, 2023.