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LEGISLATIVE ACTION

Senate

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House

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The Committee on Fiscal Policy (DiCeglie) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (7) of section 330.27, Florida  
Statutes, is amended to read:

330.27 Definitions, when used in ss. 330.29-330.39.—

(7) "Temporary airport" means an ~~any~~ airport at which  
flight operations are conducted under visual flight rules  
established by the Federal Aviation Administration and which is



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11 ~~that will be~~ used for a ~~period of~~ less than 30 consecutive days  
12 with no more than 10 operations per day.

13 Section 2. Subsection (1), paragraphs (a) and (c) of  
14 subsection (2), and paragraph (e) of subsection (3) of section  
15 330.30, Florida Statutes, are amended to read:

16 330.30 Approval of airport sites; registration and  
17 licensure of airports.—

18 (1) SITE APPROVALS; REQUIREMENTS, EFFECTIVE PERIOD,  
19 REVOCATION.—

20 (a) Except as provided in subsection (3), the owner or  
21 lessee of a ~~any~~ proposed airport shall, before ~~prior to~~ site  
22 acquisition or construction or establishment of the proposed  
23 airport, obtain approval of the airport site from the  
24 department. Applications for approval of a site shall be made in  
25 a form and manner prescribed by the department. The department  
26 shall grant the site approval if it is satisfied:

27 1. That the site has adequate area allocated for the  
28 airport as proposed.

29 2. That the proposed airport will conform to licensing or  
30 registration requirements and will comply with the applicable  
31 local government land development regulations or zoning  
32 requirements.

33 3. That all affected airports, local governments, and  
34 property owners have been notified and any comments submitted by  
35 them have been given adequate consideration.

36 4. That safe air-traffic patterns can be established for  
37 the proposed airport with all existing airports and approved  
38 airport sites in its vicinity.

39 (b) Site approval shall be granted for a public airport



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40 ~~airports~~ only after a favorable department inspection of the  
41 proposed site.

42 (c) Site approval shall be granted for a private airport  
43 ~~airports~~ only after receipt of documentation in a form and  
44 manner the department deems necessary to satisfy the conditions  
45 in paragraph (a).

46 (d) Site approval shall be granted for a public temporary  
47 airport or private temporary airport only after receipt of  
48 documentation in a form and manner the department deems  
49 necessary to satisfy the conditions in paragraph (a). Such  
50 documentation must be included with the application for a public  
51 temporary airport or private temporary airport site approval  
52 order.

53 (e)~~(d)~~ Site approval may be granted subject to any  
54 reasonable conditions the department deems necessary to protect  
55 the public health, safety, or welfare.

56 (f)~~(e)~~ Approval as a public airport or a private airport  
57 shall remain valid for 2 years after the date of issue, unless  
58 revoked by the department or unless a public airport license is  
59 issued or a private airport registration is completed pursuant  
60 to subsection (2) before ~~prior to~~ the expiration date.

61 (g)~~(f)~~ The department may extend a public airport or  
62 private airport site approval for subsequent periods of 2 years  
63 per extension for good cause.

64 (h)~~(g)~~ The department may revoke an airport ~~a~~ site approval  
65 if it determines:

- 66 1. That the site has been abandoned as an airport site;  
67 2. That the site has not been developed as an airport  
68 within a reasonable time period or development does not comply



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69 with the conditions of the site approval;

70 3. That, except as required for in-flight emergencies,  
71 aircraft have operated on the site; or

72 4. That the site is no longer usable for aviation purposes  
73 due to physical or legal changes in conditions that were the  
74 subject of the approval granted.

75 (2) LICENSES AND REGISTRATIONS; REQUIREMENTS, RENEWAL,  
76 REVOCATION.—

77 (a) Except as provided in subsection (3), the owner or  
78 lessee of an any airport in this state shall have ~~either~~ a  
79 public airport license, a ~~or~~ private airport registration, a  
80 public temporary airport license, or a private temporary airport  
81 registration before ~~prior to~~ the operation of aircraft to or  
82 from the airport facility. Application for a license or  
83 registration shall be made in a form and manner prescribed by  
84 the department. ~~Upon granting site approval:~~

85 1. For a public airport, upon granting site approval, the  
86 department shall issue a license after a final airport  
87 inspection finds the airport facility to be in compliance with  
88 all requirements for the license. The license may be subject to  
89 any reasonable conditions ~~that~~ the department deems ~~may deem~~  
90 necessary to protect the public health, safety, or welfare.

91 2. For a private airport, upon granting site approval, the  
92 department shall provide controlled electronic access to the  
93 state aviation facility data system to permit the applicant to  
94 complete the registration process. Registration shall be  
95 completed upon self-certification by the registrant of  
96 operational and configuration data deemed necessary by the  
97 department.



98           3. For an application for a public temporary airport or  
99 private temporary airport site approval order, upon receipt of a  
100 completed application, the department must publish a notice of  
101 intent to approve or deny the application in the next available  
102 publication of the Florida Administrative Register. The notice  
103 must inform the recipient of any administrative hearing that is  
104 available, indicate the procedure that must be followed to  
105 obtain the hearing, and state that a request for hearing must be  
106 submitted no later than 14 days after the date of publication.  
107 The department may not approve or deny an application sooner  
108 than 14 days after the date of publication. The department must  
109 approve or deny an application no later than 30 days after the  
110 date of publication, unless a hearing is requested by a person  
111 whose substantial interests will be determined or affected by  
112 the pending public temporary airport or private temporary  
113 airport site approval order. If site approval is granted,  
114 licensure of the public temporary airport or registration of the  
115 private temporary airport is deemed complete, and the department  
116 must issue the private temporary airport license or private  
117 temporary airport registration concurrent with the airport site  
118 approval.

119           ~~(c) The department may license a public airport or a~~  
120 ~~private airport may register as a temporary airport provided~~  
121 ~~that the airport will not endanger the public health, safety, or~~  
122 ~~welfare and the airport meets the temporary airport requirements~~  
123 ~~established by the department. A temporary airport license or~~  
124 ~~registration shall be valid for less than 30 days and is not~~  
125 ~~renewable. The department may not approve a subsequent~~  
126 ~~application for a public temporary airport or private temporary~~



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127 airport site approval order for the same general location if the  
128 purpose or effect of such order is to evade otherwise applicable  
129 airport permitting, licensure, or registration requirements.

130 (3) EXEMPTIONS.—The provisions of this section do not apply  
131 to:

132 (e) An airport ~~which meets the criteria of s. 330.27(7)~~  
133 used exclusively for aerial application or spraying of crops on  
134 a seasonal basis, not to include any licensed airport where  
135 permanent crop aerial application or spraying facilities are  
136 installed, if the period of operation does not exceed 30 days  
137 per calendar year and the frequency of operations does not  
138 exceed 10 operations per day. Such proposed airports, which will  
139 be located within 3 miles of existing airports or approved  
140 airport sites, shall establish safe air-traffic patterns with  
141 such existing airports or approved airport sites, by memorandums  
142 of understanding, or by letters of agreement between the parties  
143 representing the airports or sites.

144 Section 3. This act shall take effect July 1, 2023.

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 temporary airports; amending s.  
152 330.27, F.S.; revising the definition of the term  
153 "temporary airport"; amending s. 330.30, F.S.;  
154 requiring that certain documentation be submitted to  
155 the Department of Transportation for a public



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156 temporary airport or private temporary airport site  
157 approval order; requiring a public temporary airport  
158 to obtain a license and a private temporary airport to  
159 obtain registration before operation of aircraft to or  
160 from the airport; requiring the department to publish  
161 certain notice of intent to approve or deny an  
162 application for a public temporary airport or private  
163 temporary airport site approval order; specifying the  
164 period during which such application may be approved  
165 or denied; deeming public temporary airport licensure  
166 or private temporary airport registration complete if  
167 the department grants site approval; requiring the  
168 department to issue a public temporary airport license  
169 or private temporary airport registration concurrent  
170 with airport site approval; removing a condition for  
171 licensure or registration as a temporary airport;  
172 prohibiting the department from approving subsequent  
173 applications for a public temporary airport or private  
174 temporary airport site approval order under certain  
175 circumstances; revising an exemption from certain  
176 provisions for an airport used for aerial application  
177 or spraying of crops; providing an effective date.