

By the Committee on Transportation; and Senator Rodriguez

596-02548-23

2023908c1

1 A bill to be entitled
2 An act relating to the Unmanned Aircraft Systems Act;
3 amending s. 330.41, F.S.; revising the definition of
4 the term "critical infrastructure facility"; deleting
5 a requirement that a person or governmental entity
6 apply to the Federal Aviation Administration to
7 restrict or limit the operation of drones in specified
8 areas; deleting a provision allowing a drone operating
9 in transit for commercial purposes to operate over a
10 critical infrastructure facility under certain
11 circumstances; providing for the future sunset of the
12 definition of the term "critical infrastructure
13 facility"; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Paragraph (a) of subsection (2), paragraph (d)
18 of subsection (3), and paragraphs (d) and (e) of subsection (4)
19 of section 330.41, Florida Statutes, are amended to read:

20 330.41 Unmanned Aircraft Systems Act.—

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

22 (a) "Critical infrastructure facility" means any of the
23 following, if completely enclosed by a fence or other physical
24 barrier that is obviously designed to exclude intruders, or if
25 clearly marked with a sign or signs which indicate that entry is
26 forbidden and which are posted on the property in a manner
27 reasonably likely to come to the attention of intruders:

28 1. A ~~An electrical~~ power generation or transmission
29 facility, substation, switching station, or electrical control

596-02548-23

2023908c1

30 center.

31 2. A chemical or rubber manufacturing or storage facility.

32 3. A water intake structure, water treatment facility,
33 wastewater treatment plant, or pump station.

34 ~~4.3.~~ A mining facility.

35 ~~5.4.~~ A natural gas or compressed gas compressor station,
36 storage facility, or natural gas or compressed gas pipeline.

37 ~~6.5.~~ A liquid natural gas or propane gas terminal or
38 storage facility ~~with a capacity of 4,000 gallons or more.~~

39 ~~7.6.~~ Any portion of an aboveground oil or gas pipeline.

40 ~~8.7.~~ A wireless communications facility, including the
41 tower, antennae, support structures, and all associated ground-
42 based equipment.

43 9. A deepwater port listed in s. 311.09(1) or a railroad
44 switching yard. However, such deepwater port need not be
45 completely enclosed by a fence or other physical barrier and
46 need not be marked with a sign or signs indicating that entry is
47 forbidden.

48 10. An airport as defined in s. 330.27.

49 11. A spaceport territory as defined in s. 331.303(18).

50 12. A military installation listed in s. 163.3175(2).

51 13. A dam as defined in s. 373.403(1) or other structures,
52 such as locks, floodgates, or dikes, which are designed to
53 maintain or control the level of navigable waterways.

54 ~~14.8.~~ A state correctional institution as defined in s.
55 944.02 or a private correctional facility authorized under
56 chapter 957.

57 ~~15.9.~~ A secure detention center or facility, as defined in
58 s. 985.03, or a nonsecure residential facility, a high-risk

596-02548-23

2023908c1

59 residential facility, or a maximum-risk residential facility, as
60 those terms are described in s. 985.03(44).

61 ~~16.10.~~ A county detention facility, as defined in s.
62 951.23.

63 (3) REGULATION.—

64 ~~(d) A person or governmental entity seeking to restrict or~~
65 ~~limit the operation of drones in close proximity to~~
66 ~~infrastructure or facilities that the person or governmental~~
67 ~~entity owns or operates must apply to the Federal Aviation~~
68 ~~Administration for such designation pursuant to s. 2209 of the~~
69 ~~FAA Extension, Safety, and Security Act of 2016.~~

70 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

71 ~~(d) Subparagraph (a)1. does not apply to a drone operating~~
72 ~~in transit for commercial purposes in compliance with Federal~~
73 ~~Aviation Administration regulations, authorizations, or~~
74 ~~exemptions.~~

75 ~~(e)~~ This subsection and paragraph (2)(a) shall sunset 60
76 days after the date that a process pursuant to s. 2209 of the
77 FAA Extension, Safety and Security Act of 2016 becomes
78 effective.

79 Section 2. This act shall take effect July 1, 2023.