

1 A bill to be entitled
2 An act relating to unmanned aircraft and unmanned
3 aircraft systems; amending s. 330.41, F.S.; revising
4 the definition of the term "critical infrastructure
5 facility"; providing an exception to the prohibition
6 on operating a drone over a critical infrastructure
7 facility; increasing the criminal penalty for certain
8 prohibited actions relating to drones; amending s.
9 330.411, F.S.; prohibiting certain actions relating to
10 unmanned aircraft or unmanned aircraft systems;
11 providing exceptions; providing criminal penalties;
12 amending s. 934.50, F.S.; revising and providing
13 exceptions to certain prohibited actions relating to
14 drones; providing criminal penalties; providing
15 applicability; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:
18

19 **Section 1. Paragraph (a) of subsection (2) and paragraphs**
20 **(a) and (b) of subsection (4) of section 330.41, Florida**
21 **Statutes, are amended to read:**

22 330.41 Unmanned Aircraft Systems Act.—
23 (2) DEFINITIONS.—As used in this act, the term:
24 (a) "Critical infrastructure facility" means any of the
25 following, if completely enclosed by a fence or other physical

26 barrier that is obviously designed to exclude intruders, or if
27 clearly marked with a sign or signs which indicate that entry is
28 forbidden and which are posted on the property in a manner
29 reasonably likely to come to the attention of intruders:

- 30 1. A power generation or transmission facility,
31 substation, switching station, or electrical control center.
- 32 2. A chemical or rubber manufacturing or storage facility.
- 33 3. A water intake structure, water treatment facility,
34 wastewater treatment plant, or pump station.
- 35 4. A mining facility.
- 36 5. A natural gas or compressed gas compressor station,
37 storage facility, or natural gas or compressed gas pipeline.
- 38 6. A liquid natural gas or propane gas terminal or storage
39 facility.
- 40 7. Any portion of an aboveground oil or gas pipeline.
- 41 8. A refinery.
- 42 9. A gas processing plant, including a plant used in the
43 processing, treatment, or fractionation of natural gas.
- 44 10. A wireless or wired communications facility, including
45 the tower, antennas ~~antennae~~, support structures, and all
46 associated ground-based equipment.
- 47 11. A seaport as listed in s. 311.09(1), which need not be
48 completely enclosed by a fence or other physical barrier and
49 need not be marked with a sign or signs indicating that entry is
50 forbidden.

51 12. An inland port or other facility or group of
 52 facilities serving as a point of intermodal transfer of freight
 53 in a specific area physically separated from a seaport.

54 13. An airport as defined in s. 330.27.

55 14. A spaceport territory as defined in s. 331.303(19).

56 15. A military installation as defined in 10 U.S.C. s.
 57 2801(c)(4) and an armory as defined in s. 250.01.

58 16. A dam as defined in s. 373.403(1) or other structures,
 59 such as locks, floodgates, or dikes, which are designed to
 60 maintain or control the level of navigable waterways.

61 17. A state correctional institution as defined in s.
 62 944.02 or a contractor-operated correctional facility authorized
 63 under chapter 957.

64 18. A secure detention center or facility as defined in s.
 65 985.03, or a moderate-risk residential facility, a high-risk
 66 residential facility, or a maximum-risk residential facility as
 67 those terms are described in s. 985.03(44).

68 19. A county detention facility as defined in s. 951.23.

69 20. A critical infrastructure facility as defined in s.
 70 692.201.

71 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

72 (a) A person may not knowingly or willfully:

73 1. Operate a drone over a critical infrastructure
 74 facility, unless the operation is for a commercial purpose and
 75 is authorized by and in compliance with Federal Aviation

76 Administration regulations;

77 2. Allow a drone to make contact with a critical
78 infrastructure facility, including any person or object on the
79 premises of or within the facility; or

80 3. Allow a drone to come within a distance of a critical
81 infrastructure facility that is close enough to interfere with
82 the operations of or cause a disturbance to the facility.

83 (b) A person who violates paragraph (a) commits a felony
84 of the third ~~misdemeanor of the second~~ degree, punishable as
85 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084. ~~A person~~
86 ~~who commits a second or subsequent violation commits a~~
87 ~~misdemeanor of the first degree, punishable as provided in s.~~
88 ~~775.082 or s. 775.083.~~

89 **Section 2. Section 330.411, Florida Statutes, is amended**
90 **to read:**

91 330.411 Prohibited possession, alteration, or operation of
92 unmanned aircraft or unmanned aircraft system.—

93 (1) A person may not knowingly or willfully possess or
94 operate an unmanned aircraft or unmanned aircraft system as
95 defined in s. 330.41(2) ~~s. 330.41~~ with an attached weapon,
96 firearm, explosive, destructive device, or ammunition as defined
97 in s. 790.001.

98 (2) A person may not knowingly or willfully alter,
99 manipulate, tamper with, or otherwise change an unmanned
100 aircraft or unmanned aircraft system's hardware or software to

101 purposefully frustrate any tool, system, or technology intended
102 to satisfy the remote identification requirements established by
103 the Federal Aviation Administration as they relate to any
104 unmanned aircraft or unmanned aircraft systems in violation of
105 s. 330.41(4)(a), unless authorized by the administrator of the
106 Federal Aviation Administration or the Secretary of Defense, or
107 their respective designees.

108 (3) A person may not knowingly or willfully possess or
109 operate an unmanned aircraft or unmanned aircraft system that
110 has been altered, manipulated, tampered with, or otherwise
111 changed to purposefully frustrate any tool, system, or
112 technology intended to satisfy the remote identification
113 requirements established by the Federal Aviation Administration
114 as they relate to any unmanned aircraft or unmanned aircraft
115 systems in violation of s. 330.41(4)(a), unless authorized by
116 the administrator of the Federal Aviation Administration or the
117 Secretary of Defense, or their respective designees.

118 (4) A person who violates subsection (1), subsection (2),
119 or subsection (3) commits a felony of the third degree,
120 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

121 (5) A person who, without lawful authority, possesses or
122 operates an unmanned aircraft system carrying a weapon of mass
123 destruction, a hoax weapon of mass destruction, a biological
124 agent, or a toxin, as those terms are defined in s. 790.166(1),
125 commits a felony of the first degree, punishable as provided in

126 s. 775.082, s. 775.083, or s. 775.084.

127 **Section 3. Paragraph (d) of subsection (4) of section**
128 **934.50, Florida Statutes, is amended, paragraph (r) is added to**
129 **that subsection, and subsection (8) is added to that section, to**
130 **read:**

131 934.50 Searches and seizure using a drone.—

132 (4) EXCEPTIONS.—This section does not prohibit the use of
133 a drone:

134 (d) To provide a law enforcement agency with an aerial
135 perspective of a crowd of 50 people or more or to provide or
136 maintain the public safety of such crowd, provided that:

137 1. The law enforcement agency that uses the drone to
138 provide an aerial perspective of a crowd of 50 people or more
139 must have policies and procedures that include guidelines:

140 a. For the agency's use of a drone.

141 b. For the proper storage, retention, and release of any
142 images or video captured by the drone.

143 c. That address the personal safety and constitutional
144 protections of the people being observed.

145 2. The head of the law enforcement agency using the drone
146 for this purpose must provide written authorization for such use
147 and must maintain a copy on file at the agency.

148 (r) By a law enforcement agency in furtherance of
149 providing and maintaining the security of an elected official
150 pursuant to s. 943.68.

151 (8) CRIMINAL PENALTIES.—

152 (a) An individual who knowingly or willfully violates
 153 paragraph (3)(b) commits a misdemeanor of the first degree,
 154 punishable as provided in s. 775.082 or s. 775.083.

155 (b) An individual who knowingly or willfully violates
 156 paragraph (3)(b) and intentionally distributes surveillance
 157 obtained in violation of that paragraph commits a felony of the
 158 third degree, punishable as provided in s. 775.082, s. 775.083,
 159 or s. 775.084.

160
 161 This subsection does not apply to a state agency, political
 162 subdivision, or law enforcement agency or to an officer,
 163 employee, or agent of such subdivision or agency who is acting
 164 in the course and scope of his or her employment.

165 **Section 4.** This act shall take effect October 1, 2025.