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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2025	.	
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The Committee on Criminal Justice (Truenow) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

330.41 Unmanned Aircraft Systems Act.—

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

(a) "Critical infrastructure facility" means any of the



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11 following, if completely enclosed by a fence or other physical  
12 barrier that is obviously designed to exclude intruders, or if  
13 clearly marked with a sign or signs which indicate that entry is  
14 forbidden and which are posted on the property in a manner  
15 reasonably likely to come to the attention of intruders:

16 1. A power generation or transmission facility, substation,  
17 switching station, or electrical control center.

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

19 3. A water intake structure, water treatment facility,  
20 wastewater treatment plant, or pump station.

21 4. A mining facility.

22 5. A natural gas or compressed gas compressor station,  
23 storage facility, or natural gas or compressed gas pipeline.

24 6. A liquid natural gas or propane gas terminal or storage  
25 facility.

26 7. Any portion of an aboveground oil or gas pipeline.

27 8. A refinery.

28 9. A gas processing plant, including a plant used in the  
29 processing, treatment, or fractionation of natural gas.

30 10. A wireless or wired communications facility, including  
31 the tower, antennas ~~antennae~~, support structures, and all  
32 associated ground-based equipment.

33 11. A seaport as listed in s. 311.09(1), which need not be  
34 completely enclosed by a fence or other physical barrier and  
35 need not be marked with a sign or signs indicating that entry is  
36 forbidden.

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



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- 40 13. An airport as defined in s. 330.27.
- 41 14. A spaceport territory as defined in s. 331.303(19).
- 42 15. A military installation as defined in 10 U.S.C. s.
- 43 2801(c)(4) and an armory as defined in s. 250.01.
- 44 16. A dam as defined in s. 373.403(1) or other structures,
- 45 such as locks, floodgates, or dikes, which are designed to
- 46 maintain or control the level of navigable waterways.
- 47 17. A state correctional institution as defined in s.
- 48 944.02 or a contractor-operated correctional facility authorized
- 49 under chapter 957.
- 50 18. A secure detention center or facility as defined in s.
- 51 985.03, or a moderate-risk residential facility, a high-risk
- 52 residential facility, or a maximum-risk residential facility as
- 53 those terms are described in s. 985.03(44).
- 54 19. A county detention facility as defined in s. 951.23.
- 55 20. A critical infrastructure facility as defined in s.
- 56 692.201.
- 57 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—
- 58 (a) A person may not knowingly or willfully:
- 59 1. Operate a drone over a critical infrastructure facility,
- 60 unless the operation is for a commercial purpose and is
- 61 authorized by and in compliance with the Federal Aviation
- 62 Administration regulations;
- 63 2. Allow a drone to make contact with a critical
- 64 infrastructure facility, including any person or object on the
- 65 premises of or within the facility; or
- 66 3. Allow a drone to come within a distance of a critical
- 67 infrastructure facility that is close enough to interfere with
- 68 the operations of or cause a disturbance to the facility.



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69 (b) A person who violates paragraph (a) commits a felony of  
70 the third ~~misdemeanor of the second~~ degree, punishable as  
71 provided in s. 775.082 or s. 775.083. ~~A person who commits a~~  
72 ~~second or subsequent violation commits a misdemeanor of the~~  
73 ~~first degree, punishable as provided in s. 775.082 or s.~~  
74 ~~775.083.~~

75 Section 2. Section 330.411, Florida Statutes, is amended to  
76 read:

77 330.411 Prohibited possession, alteration, or operation of  
78 unmanned aircraft or unmanned aircraft system.-

79 (1) A person may not knowingly or willfully possess or  
80 operate an unmanned aircraft or unmanned aircraft system as  
81 defined in s. 330.41(2) ~~s. 330.41~~ with an attached weapon,  
82 firearm, explosive, destructive device, or ammunition as defined  
83 in s. 790.001.

84 (2) A person may not knowingly or willfully alter,  
85 manipulate, tamper with, or otherwise change an unmanned  
86 aircraft or unmanned aircraft system's hardware or software to  
87 purposefully frustrate any tool, system, or technology intended  
88 to satisfy the remote identification requirements established by  
89 the Federal Aviation Administration as they relate to any  
90 unmanned aircraft or unmanned aircraft systems in violation of  
91 s. 330.41(4)(a), unless authorized by the administrator of the  
92 Federal Aviation Administration or the Secretary of Defense, or  
93 their respective designees.

94 (3) A person may not knowingly or willfully possess or  
95 operate an unmanned aircraft or unmanned aircraft system that  
96 has been altered, manipulated, tampered with, or otherwise  
97 changed to purposefully frustrate any tool, system, or



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98 technology intended to satisfy the remote identification  
99 requirements established by the Federal Aviation Administration  
100 as they relate to any unmanned aircraft or unmanned aircraft  
101 systems in violation of s. 330.41(4)(a), unless authorized by  
102 the administrator of the Federal Aviation Administration or the  
103 Secretary of Defense, or their respective designees.

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

107 (5) A person who, without lawful authority, possesses or  
108 operates an unmanned aircraft system carrying a weapon of mass  
109 destruction, a hoax weapon of mass destruction, a biological  
110 agent, or a toxin, as those terms are defined in s. 790.166(1),  
111 commits a felony of the first degree, punishable as provided in  
112 s. 775.082, s. 775.083, or s. 775.084.

113 Section 3. Paragraph (d) of subsection (4) of section  
114 934.50, Florida Statutes, is amended, paragraph (r) is added to  
115 that subsection, and subsection (8) is added to that section, to  
116 read:

117 934.50 Searches and seizure using a drone.—

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

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

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

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



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

129           c. That address the personal safety and constitutional  
130 protections of the people being observed.

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

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

137           (8) CRIMINAL PENALTIES.-

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

141           (b) An individual who knowingly or willfully violates  
142 paragraph (3)(b) and intentionally distributes surveillance  
143 obtained in violation of that paragraph commits a felony of the  
144 third degree, punishable as provided in s. 775.082, s. 775.083,  
145 or s. 775.084.

146  
147 This subsection does not apply to a state agency, a political  
148 subdivision, a law enforcement agency, or its officers,  
149 employees, or agents.

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

151  
152 ===== T I T L E   A M E N D M E N T =====

153 And the title is amended as follows:

154           Delete everything before the enacting clause  
155 and insert:



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156                                   A bill to be entitled  
157           An act relating to unmanned aircraft or unmanned  
158           aircraft systems; amending s. 330.41, F.S.; revising  
159           the definition of the term "critical infrastructure  
160           facility"; providing an exception to the prohibition  
161           on operating a drone over a critical infrastructure  
162           facility; increasing the criminal penalty for certain  
163           prohibited actions relating to drones; amending s.  
164           330.411, F.S.; prohibiting certain actions relating to  
165           unmanned aircraft or unmanned aircraft systems;  
166           providing exceptions; providing criminal penalties;  
167           amending s. 934.50, F.S.; revising and providing  
168           exceptions to certain prohibited actions relating to  
169           drones; providing criminal penalties; providing  
170           applicability; providing an effective date.