

By Senator Truenow

13-00672B-25

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1                   A bill to be entitled  
2           An act relating to unmanned aircraft or unmanned  
3           aircraft systems; amending s. 330.41, F.S.; increasing  
4           the criminal penalty for certain prohibited actions  
5           relating to drones; amending s. 330.411, F.S.;  
6           prohibiting certain actions relating to unmanned  
7           aircraft or unmanned aircraft systems; providing  
8           criminal penalties; amending s. 934.50, F.S.; revising  
9           and providing exceptions to certain prohibited actions  
10          relating to drones; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Paragraph (b) of subsection (4) of section  
15           330.41, Florida Statutes, is amended, and paragraph (a) of that  
16           subsection is republished, to read:

17           330.41 Unmanned Aircraft Systems Act.—

18           (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

20           1. Operate a drone over a critical infrastructure facility;

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

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

27           (b) A person who violates paragraph (a) commits a felony of  
28           the third degree ~~misdemeanor of the second degree~~, punishable as  
29           provided in s. 775.082 or s. 775.083. ~~A person who commits a~~

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30 ~~second or subsequent violation commits a misdemeanor of the~~  
31 ~~first degree, punishable as provided in s. 775.082 or s.~~  
32 ~~775.083.~~

33 Section 2. Section 330.411, Florida Statutes, is amended to  
34 read:

35 330.411 Prohibited possession, alteration, or operation of  
36 unmanned aircraft.-

37 (1) A person may not willfully possess or operate an  
38 unmanned aircraft or unmanned aircraft system as defined in s.  
39 330.41(2) ~~s. 330.41~~ with an attached weapon, firearm, explosive,  
40 destructive device, or ammunition as defined in s. 790.001.

41 (2) A person may not willfully alter, manipulate, tamper  
42 with, or otherwise change an unmanned aircraft or unmanned  
43 aircraft system's hardware or software to counter or bypass any  
44 tool, system, or technology intended to detect unmanned aircraft  
45 or unmanned aircraft systems in violation of s. 330.41(4)(a).

46 (3) A person may not willfully possess or operate an  
47 unmanned aircraft or unmanned aircraft system that has been  
48 altered, manipulated, tampered with, or otherwise changed to  
49 counter or bypass any tool, system, or technology intended to  
50 detect unmanned aircraft or unmanned aircraft systems in  
51 violation of s. 330.41(4)(a).

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

55 (5) A person who, without lawful authority, possesses or  
56 operates an unmanned aircraft system carrying a weapon of mass  
57 destruction, a hoax weapon of mass destruction, a biological  
58 agent, or a toxin, as those terms are defined in s. 790.166(1),

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59 commits a felony of the first degree, punishable as provided in  
60 s. 775.082, s. 775.083, or s. 775.084.

61 Section 3. Paragraph (d) of subsection (4) of section  
62 934.50, Florida Statutes, is amended, and paragraph (r) is added  
63 to that subsection, to read:

64 934.50 Searches and seizure using a drone.—

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

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

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

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

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

76 c. That address the personal safety and constitutional  
77 protections of the people being observed.

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

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

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