

CS/HB 1093

2026

A bill to be entitled
An act relating to advanced air mobility; providing a short title; amending s. 212.08, F.S.; providing an exemption from the sales and use tax for electric vertical takeoff and landing aircraft and related items; amending s. 255.065, F.S.; revising the definition of the term "qualifying project"; creating s. 330.412, F.S.; defining the term "vertiport"; providing sovereign immunity for certain vertiport operators; providing for future legislative review and repeal; amending s. 332.007, F.S.; revising the definition of the term "airport infrastructure"; authorizing the Department of Transportation to fund up to specified percentages of vertiport project costs; amending s. 332.15, F.S.; providing requirements for the department; creating s. 332.151, F.S.; defining the term "vertiport"; requiring the department to expeditiously approve certain vertiports; preempting the regulation of vertiport design, aeronautical operations, and aviation safety to this state; providing exceptions; preempting the regulation of electric aircraft charging stations and associated infrastructure to this state; prohibiting a local governmental entity from enacting or enforcing certain ordinances and regulations; providing

26 requirements for local governmental entities;
27 providing an effective date.
28

29 Be It Enacted by the Legislature of the State of Florida:

30

31 **Section 1.** This act may be cited as the "Advanced Air
32 Mobility Competitiveness and Infrastructure Act."

33 **Section 2. Paragraph (ffff) is added to subsection (7) of**
34 **section 212.08, Florida Statutes, to read:**

35 212.08 Sales, rental, use, consumption, distribution, and
36 storage tax; specified exemptions.—The sale at retail, the
37 rental, the use, the consumption, the distribution, and the
38 storage to be used or consumed in this state of the following
39 are hereby specifically exempt from the tax imposed by this
40 chapter.

41 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
42 entity by this chapter do not inure to any transaction that is
43 otherwise taxable under this chapter when payment is made by a
44 representative or employee of the entity by any means,
45 including, but not limited to, cash, check, or credit card, even
46 when that representative or employee is subsequently reimbursed
47 by the entity. In addition, exemptions provided to any entity by
48 this subsection do not inure to any transaction that is
49 otherwise taxable under this chapter unless the entity has
50 obtained a sales tax exemption certificate from the department

51 or the entity obtains or provides other documentation as
52 required by the department. Eligible purchases or leases made
53 with such a certificate must be in strict compliance with this
54 subsection and departmental rules, and any person who makes an
55 exempt purchase with a certificate that is not in strict
56 compliance with this subsection and the rules is liable for and
57 shall pay the tax. The department may adopt rules to administer
58 this subsection.

59 (ffff) Electric vertical takeoff and landing aircraft and
60 related items.—The sale of the following is exempt from the tax
61 imposed by this chapter:

62 1. Electric vertical takeoff and landing aircraft,
63 batteries, and training devices placed into service for at least
64 36 months.

65 2. Electricity used for electric vertical takeoff and
66 landing aircraft training operations.

67 **Section 3. Paragraph (i) of subsection (1) of section**
68 **255.065, Florida Statutes, is amended to read:**

69 255.065 Public-private partnerships.—

70 (1) DEFINITIONS.—As used in this section, the term:

71 (i) "Qualifying project" means:

72 1. A facility or project that serves a public purpose,
73 including, but not limited to, any ferry or mass transit
74 facility, vehicle parking facility, airport or seaport facility,
75 rail facility or project, fuel supply facility, oil or gas

76 pipeline, medical or nursing care facility, recreational
77 facility, sporting or cultural facility, or educational facility
78 or other building or facility that is used or will be used by a
79 public educational institution, or any other public facility or
80 infrastructure that is used or will be used by the public at
81 large or in support of an accepted public purpose or activity;

82 2. An improvement, including equipment, of a building that
83 will be principally used by a public entity or the public at
84 large or that supports a service delivery system in the public
85 sector;

86 3. A water, wastewater, or surface water management
87 facility or other related infrastructure; ~~or~~

88 4. Notwithstanding any provision of this section, for
89 projects that involve a facility owned or operated by the
90 governing board of a county, district, or municipal hospital or
91 health care system, or projects that involve a facility owned or
92 operated by a municipal electric utility, only those projects
93 that the governing board designates as qualifying projects
94 pursuant to this section; or

95 5. Vertiports and charging systems.

96 **Section 4. Section 330.412, Florida Statutes, is created**
97 **to read:**

98 330.412 Limitation of liability for certain public
99 vertiport operators.—

100 (1) For purposes of this section, the term "vertiport" has

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101 the same meaning as in s. 332.151(1).

102 (2) For vertiports that are colocated with a public
103 airport, the vertiport operator shall be considered an agency or
104 subdivision of this state for purposes of s. 768.28 and is
105 entitled to sovereign immunity to the same extent as a public
106 airport operator.

107 (3) This section expires July 1, 2036, unless reviewed and
108 saved from repeal through reenactment by the Legislature.

109 **Section 5. Paragraph (c) of subsection (2) of section**
110 **332.007, Florida Statutes, is amended, and paragraph (e) is**
111 **added to subsection (6) of that section, to read:**

112 332.007 Administration and financing of aviation and
113 airport programs and projects; state plan.—

114 (2)

115 (c) Each commercial service airport as defined in s.
116 332.0075 shall establish and maintain a comprehensive airport
117 infrastructure program to ensure the ongoing preservation of
118 airport infrastructure and facilities in safe and serviceable
119 condition. For purposes of this paragraph, the term "airport
120 infrastructure" means the facilities, systems, and structural
121 components of an airport necessary for the safe and efficient
122 movement of people and goods. The term includes vertiport pads,
123 safety zones, charging systems, grid upgrades, and resilience
124 energy systems. Beginning November 1, 2025, and annually
125 thereafter, each commercial service airport shall provide a

126 certification to the department, in a manner prescribed by the
127 department, that it has established and maintains a
128 comprehensive airport infrastructure program. The comprehensive
129 airport infrastructure program report, and related documents and
130 records, must be open to inspection by the department and
131 maintained by the airport for at least 5 years. The
132 comprehensive airport infrastructure program must, at a minimum,
133 include all of the following:

134 1. Identification of airport infrastructure subject to
135 inspection and the schedule for the completion of such
136 inspections, taking into consideration the age, type, intended
137 use, and criticality of the infrastructure to undisrupted
138 commercial or cargo operations.

139 2. A preventative maintenance program for routine
140 maintenance of airport infrastructure, for both commercial and
141 cargo operations.

142 3. A plan to complete any necessary repairs to, or
143 rehabilitation or reconstruction of, airport infrastructure,
144 including prioritization and anticipated timeframe for
145 completion of the work.

146 4. A progress report of inspections and their outcomes,
147 preventative maintenance, and previously identified repair to,
148 or rehabilitation or reconstruction of, airport infrastructure.
149 The progress report must include any changes in timeline for
150 completion, changes in cost estimates, and reasons any

151 inspection, preventative maintenance, or repair or
152 rehabilitation did not take place.

153 (6) Subject to the availability of appropriated funds, the
154 department may participate in the capital cost of eligible
155 public-use airport and aviation development projects in
156 accordance with the following rates, unless otherwise provided
157 in the General Appropriations Act or the substantive bill
158 implementing the General Appropriations Act:

159 (e) When federal funds are not available, the department
160 may fund up to 100 percent of the project costs of a public or
161 private vertiport. If federal funds are available, the
162 department may fund up to 80 percent of the nonfederal share of
163 such project costs.

164 **Section 6. Subsection (5) is added to section 332.15,
165 Florida Statutes, to read:**

166 332.15 Advanced air mobility.—The Department of
167 Transportation shall:

168 (5) Create a model vertiport siting code, establish
169 vertiport demonstration corridors, and adopt rules and
170 regulations for coordination among the department, the Federal
171 Aviation Administration, and local governmental entities with
172 respect to vertiports.

173 **Section 7. Section 332.151, Florida Statutes, is created
174 to read:**

175 332.151 Vertiport siting; preemption.—

176 (1) The term "vertiport" means an area of land, a body of
177 water, or a structure used or intended to be used for the
178 landing, takeoff, and surface maneuvering of vertical takeoff
179 and landing aircraft, including electric, hybrid, and hydrogen-
180 powered aircraft. The term includes associated buildings,
181 facilities, and infrastructure necessary for the safe and
182 efficient operation of such aircraft, including, but not limited
183 to, electric charging and fueling systems, battery thermal
184 management infrastructure, safety areas, and passenger
185 terminals.

186 (2) The Department of Transportation shall expeditiously
187 approve vertiports adopting the model vertiport siting code
188 created pursuant to s. 332.15(5).

189 (3) The regulation of vertiport design, aeronautical
190 operations, and aviation safety is preempted to this state to
191 ensure consistency with federal regulations. This subsection
192 does not apply to local land use and zoning authority, or to
193 reasonable noise compatibility ordinances, provided such local
194 regulations do not effectively prohibit the operation of
195 advanced air mobility aircraft authorized by the Federal
196 Aviation Administration.

197 (4) (a) The regulation of electric aircraft charging
198 stations and associated infrastructure is preempted to this
199 state.

200 (b) A local governmental entity may not enact or enforce

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201 an ordinance or regulation related to the design, construction,
202 or installation of electric aircraft charging stations.

203 (c) Local governmental entities shall issue any required
204 building permits for electric aircraft charging stations based
205 solely upon compliance with the standards established by the
206 Department of Transportation under s. 332.15(5).

207 (d) If a local governmental entity does not approve or
208 deny a permit application for an electric aircraft charging
209 station within 15 business days after receipt of a complete
210 application, the application shall be deemed approved.

211 **Section 8.** This act shall take effect July 1, 2026.