1	A bill to be entitled
2	An act relating to the use of drones by government
3	agencies; amending s. 934.50, F.S.; expanding the
4	authorized uses of drones by law enforcement agencies
5	and other specified entities for specified purposes;
6	requiring governmental agencies to take specified
7	protective measures when using drones; requiring a
8	governmental entity or unit using drone technology to
9	ensure that specified information remains within the
10	borders of the United States; reenacting s.
11	330.41(4)(c), F.S., relating to unmanned aircraft
12	systems, to incorporate the amendment made to s.
13	934.50, F.S., in a reference thereto; providing an
14	effective date.
15	
16	Be It Enacted by the Legislature of the State of Florida:
17	
18	Section 1. Paragraphs (d) through (k) of subsection (4) of
19	section 934.50, Florida Statutes, are redesignated as paragraphs
20	(i) through (p), respectively, paragraph (a) of subsection (3)
21	is amended, new paragraphs (d) through (h) are added to
22	subsection (4), and subsection (7) is added to that section, to
23	read:
24	934.50 Searches and seizure using a drone
25	(3) PROHIBITED USE OF DRONES
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A law enforcement agency may not use a drone to gather 26 (a) evidence or other information, except as provided in subsection 27 28 (4). 29 (4) EXCEPTIONS.-This section does not prohibit the use of 30 a drone: 31 (d) To provide a law enforcement agency with an aerial 32 perspective of a crowd of 50 people or more, provided that: 33 The law enforcement agency that uses the drone to 1. 34 provide an aerial perspective of a crowd of 50 people or more 35 must have policies and procedures that include guidelines: 36 a. For the agency's use of a drone. 37 b. For the proper storage, retention, and release of any images or video captured by the drone. 38 39 c. That address the personal safety and constitutional 40 protections of the people being observed. The head of the law enforcement agency using the drone 41 2. 42 for this purpose must provide written authorization for such use 43 and must maintain a copy on file at the agency. 44 To assist a law enforcement agency with traffic (e) 45 management; however, a law enforcement agency acting under this 46 paragraph may not issue a traffic infraction citation based on 47 images or video captured by a drone. (f) To facilitate a law enforcement agency's collection of 48 evidence at a crime scene or traffic crash scene. 49 50 By a state agency or political subdivision for the (g)

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51	assessment of damage due to a flood, a wildfire, or any other
52	natural disaster or for vegetation or wildlife management on
53	publicly owned land or water.
54	(h) By certified fire department personnel to perform
55	tasks within the scope and practice authorized under their
56	certifications.
57	(7) SECURITY MEASURES Any state, county, local, or
58	municipal governmental entity or any unit of government created
59	or established by law that uses a drone as authorized under this
60	section must:
61	(a) Take protective measures to secure data collected by
62	the drone. Such an entity or unit may comply with this
63	requirement by:
64	1. Operating the drone in a manner that ensures data is
65	securely transmitted and which does not require the drone to be
66	connected to the Internet or to transmit data through the use of
67	the Internet; or
68	2. Encrypting all data transmitted through the Internet or
69	use of the Internet, including all flight data such as location,
70	flight path, or other system control logs, whether the drone is
71	in transit or at rest.
72	(b) Ensure that any information gathered in the operation
73	and management of the drone, including all associated software,
74	hardware, and data, remains within the borders of the United
75	States.

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76	Section 2. For the purpose of incorporating the amendment
77	made by this act to section 934.50, Florida Statutes, in a
78	reference thereto, paragraph (c) of subsection (4) of section
79	330.41, Florida Statutes, is reenacted to read:
80	330.41 Unmanned Aircraft Systems Act
81	(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES
82	(c) This subsection does not apply to actions identified
83	in paragraph (a) which are committed by:
84	1. A federal, state, or other governmental entity, or a
85	person under contract or otherwise acting under the direction of
86	a federal, state, or other governmental entity.
87	2. A law enforcement agency that is in compliance with s.
88	934.50, or a person under contract with or otherwise acting
89	under the direction of such law enforcement agency.
90	3. An owner, operator, or occupant of the critical
91	infrastructure facility, or a person who has prior written
92	consent of such owner, operator, or occupant.
93	Section 3. This act shall take effect July 1, 2021.

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