

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Canady offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

10 330.41 Unmanned Aircraft Systems Act.—

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

12 (a) "Critical infrastructure facility" means any of the
13 following, if completely enclosed by a fence or other physical
14 barrier that is obviously designed to exclude intruders, or if
15 clearly marked with a sign or signs which indicate that entry is

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16 forbidden and which are posted on the property in a manner
17 reasonably likely to come to the attention of intruders:

18 1. A power generation or transmission facility,
19 substation, switching station, or electrical control center.

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

21 3. A water intake structure, water treatment facility,
22 wastewater treatment plant, or pump station.

23 4. A mining facility.

24 5. A natural gas or compressed gas compressor station,
25 storage facility, or natural gas or compressed gas pipeline.

26 6. A liquid natural gas or propane gas terminal or storage
27 facility.

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

29 8. A refinery.

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

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

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

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

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

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

44 15. A military installation as defined in 10 U.S.C. s.
45 2801(c)(4) and an armory as defined in s. 250.01.

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

49 17. A state correctional institution as defined in s.
50 944.02 or a contractor-operated correctional facility authorized
51 under chapter 957.

52 18. A secure detention center or facility as defined in s.
53 985.03, or a moderate-risk residential facility, a high-risk
54 residential facility, or a maximum-risk residential facility as
55 those terms are described in s. 985.03(44).

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

57 20. A critical infrastructure facility as defined in s.
58 692.201.

59 (4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

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

61 1. Operate a drone over a critical infrastructure
62 facility, unless the operation is for a commercial purpose and

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63 is authorized by and in compliance with Federal Aviation
64 Administration regulations;

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

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

71 (b) A person who violates paragraph (a) commits a felony
72 of the third ~~misdemeanor of the second~~ degree, punishable as
73 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084. ~~A person~~
74 ~~who commits a second or subsequent violation commits a~~
75 ~~misdemeanor of the first degree, punishable as provided in s.~~
76 ~~775.082 or s. 775.083.~~

77 **Section 2. Section 330.411, Florida Statutes, is amended**
78 **to read:**

79 330.411 Prohibited possession, alteration, or operation of
80 unmanned aircraft or unmanned aircraft system.-

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

86 (2) A person may not knowingly or willfully alter,
87 manipulate, tamper with, or otherwise change an unmanned

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88 aircraft or unmanned aircraft system's hardware or software to
89 purposefully frustrate any tool, system, or technology intended
90 to satisfy the remote identification requirements established by
91 the Federal Aviation Administration as they relate to any
92 unmanned aircraft or unmanned aircraft systems in violation of
93 s. 330.41(4) (a), unless authorized by the administrator of the
94 Federal Aviation Administration or the Secretary of Defense, or
95 their respective designees.

96 (3) A person may not knowingly or willfully possess or
97 operate an unmanned aircraft or unmanned aircraft system that
98 has been altered, manipulated, tampered with, or otherwise
99 changed to purposefully frustrate any tool, system, or
100 technology intended to satisfy the remote identification
101 requirements established by the Federal Aviation Administration
102 as they relate to any unmanned aircraft or unmanned aircraft
103 systems in violation of s. 330.41(4) (a), unless authorized by
104 the administrator of the Federal Aviation Administration or the
105 Secretary of Defense, or their respective designees.

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

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

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

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

119 934.50 Searches and seizure using a drone.—

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

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

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

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

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

131 c. That address the personal safety and constitutional
132 protections of the people being observed.

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

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

139 (8) CRIMINAL PENALTIES.—

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

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

148
149 This subsection does not apply to a state agency, political
150 subdivision, or law enforcement agency or to an officer,
151 employee, or agent of such subdivision or agency who is acting
152 in the course and scope of his or her employment.

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

154
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156 **T I T L E A M E N D M E N T**

157 Remove everything before the enacting clause and insert:
158 An act relating to unmanned aircraft and unmanned
159 aircraft systems; amending s. 330.41, F.S.; revising
160 the definition of the term "critical infrastructure

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161 facility"; providing an exception to the prohibition
162 on operating a drone over a critical infrastructure
163 facility; increasing the criminal penalty for certain
164 prohibited actions relating to drones; amending s.
165 330.411, F.S.; prohibiting certain actions relating to
166 unmanned aircraft or unmanned aircraft systems;
167 providing exceptions; providing criminal penalties;
168 amending s. 934.50, F.S.; revising and providing
169 exceptions to certain prohibited actions relating to
170 drones; providing criminal penalties; providing
171 applicability; providing an effective date.