

By the Appropriations Committee on Criminal and Civil Justice;
the Committee on Criminal Justice; and Senator Truenow

604-03480-25

20251422c2

A bill to be entitled

An act relating to unmanned aircraft or unmanned aircraft systems; amending s. 330.41, F.S.; revising the definition of the term "critical infrastructure facility"; providing an exception to the prohibition on operating a drone over a critical infrastructure facility; increasing the criminal penalty for certain prohibited actions relating to drones; amending s. 330.411, F.S.; defining the terms "unmanned aircraft" and "unmanned aircraft system"; prohibiting certain actions relating to unmanned aircraft and unmanned aircraft systems; providing an exception; providing criminal penalties; amending s. 934.50, F.S.; authorizing certain persons to use reasonable force to prohibit a drone from conducting surveillance under certain circumstances; revising and providing exceptions to certain prohibited actions relating to drones; providing criminal penalties; providing applicability; providing an effective date.

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

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 following, if completely enclosed by a fence or other physical

604-03480-25

20251422c2

barrier that is obviously designed to exclude intruders, or if clearly marked with a sign or signs which indicate that entry is forbidden and which are posted on the property in a manner reasonably likely to come to the attention of intruders:

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

2. A chemical or rubber manufacturing or storage facility.

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

4. A mining facility.

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

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

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

8. A refinery.

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

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

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

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

13. An airport as defined in s. 330.27.

604-03480-25

20251422c2

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

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

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

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

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

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

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

(4) PROTECTION OF CRITICAL INFRASTRUCTURE FACILITIES.—

(a) A person may not knowingly or willfully:

1. Operate a drone over a critical infrastructure facility, unless the operation is for a commercial purpose and is authorized by and in compliance with the Federal Aviation Administration regulations;

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

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

(b) A person who violates paragraph (a) commits a felony of

604-03480-25

20251422c2

the third ~~misdemeanor of the second degree~~, punishable as provided in s. 775.082 or s. 775.083. ~~A person who commits a second or subsequent violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

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

330.411 Prohibited possession, alteration, or operation of unmanned aircraft or unmanned aircraft system.—

(1) As used in this section, the term:

(a) "Unmanned aircraft" has the same meaning as the term "drone" in s. 934.50(2).

(b) "Unmanned aircraft system" has the same meaning as in s. 330.41(2).

(2) A person may not knowingly or willfully possess or operate an unmanned aircraft or unmanned aircraft system as defined in s. 330.41 with an attached weapon, firearm, explosive, destructive device, or ammunition as those terms are defined in s. 790.001.

(3)(a) For the purposes of s. 330.41(4)(a), a person may not knowingly or willfully:

1. Alter, manipulate, tamper with, or otherwise change an unmanned aircraft or unmanned aircraft system's hardware or software to purposefully frustrate any tool, system, or technology intended to satisfy the remote identification requirements established by the Federal Aviation Administration as they relate to an unmanned aircraft or unmanned aircraft system; or

2. Possess or operate an unmanned aircraft or unmanned

604-03480-25

20251422c2

117 aircraft system that has been altered, manipulated, tampered
118 with, or otherwise changed to purposefully frustrate any tool,
119 system, or technology intended to satisfy the remote
120 identification requirements established by the Federal Aviation
121 Administration as they relate to any unmanned aircraft or
122 unmanned aircraft system.

123 (b) This subsection does not apply if a person is
124 authorized by the administrator of the Federal Aviation
125 Administration or the Secretary of Defense, or their respective
126 designees, to alter, possess, or operate such an altered
127 unmanned aircraft or unmanned aircraft system.

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

131 (5) A person who, without lawful authority, possesses or
132 operates an unmanned aircraft or unmanned aircraft system
133 carrying a "weapon of mass destruction" or a "hoax weapon of
134 mass destruction," as those terms are defined in s. 790.166(1),
135 commits a felony of the first degree, punishable as provided in
136 s. 775.082, s. 775.083, or s. 775.084.

137 Section 3. Paragraph (b) of subsection (3) and paragraph
138 (d) of subsection (4) of section 934.50, Florida Statutes, are
139 amended, paragraph (r) is added to subsection (4) of that
140 section, and subsection (8) is added to that section, to read:

141 934.50 Searches and seizure using a drone.—

142 (3) PROHIBITED USE OF DRONES.—

143 (b)1. A person, a state agency, or a political subdivision
144 as defined in s. 11.45 may not use a drone equipped with an
145 imaging device to record an image of privately owned real

604-03480-25

20251422c2

property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person's reasonable expectation of privacy without his or her written consent. For purposes of this section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.

2. A person who has a reasonable expectation of privacy on his or her privately owned real property may use reasonable force to prohibit a drone from conducting surveillance in violation of this paragraph, if such drone is operating under 500 feet over such property.

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

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

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

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

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

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

2. The head of the law enforcement agency using the drone

604-03480-25

20251422c2

for this purpose must provide written authorization for such use and must maintain a copy on file at the agency.

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

(8) CRIMINAL PENALTIES.—

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

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

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

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