

## CHAPTER 2025-29

### Committee Substitute for Committee Substitute for House Bill No. 1121

An act relating to unmanned aircraft and 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 or unmanned aircraft systems; providing an exception; providing criminal penalties; amending s. 934.50, F.S.; 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 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.
  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 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 the third misdemeanor of the second degree, punishable as provided in s. 775.082, or s. 775.083, or s. 775.084. 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 violating 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 any unmanned aircraft or unmanned aircraft system; or

2. Possess or operate an unmanned aircraft or unmanned aircraft system that has been altered, manipulated, tampered with, or otherwise changed 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 any unmanned aircraft or unmanned aircraft system.

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

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

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

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

934.50 Searches and seizure using a drone.—

(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 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, political subdivision, or law enforcement agency or to an officer, employee, or agent of such subdivision or agency who is acting in the course and scope of his or her employment.

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

Approved by the Governor May 16, 2025.

Filed in Office Secretary of State May 16, 2025.