

By Senator Collins

14-01120-23

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1 A bill to be entitled
2 An act relating to drones; amending s. 330.41, F.S.;
3 defining the terms "drone delivery service" and "drone
4 port"; prohibiting a political subdivision from taking
5 certain actions relating to drone delivery services;
6 amending s. 553.73, F.S.; exempting drone ports from
7 the Florida Building Code; providing an effective
8 date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Present paragraph (c) of subsection (2) and
13 present paragraphs (c) and (d) of subsection (3) of section
14 330.41, Florida Statutes, are redesignated as paragraph (e) of
15 subsection (2) and paragraphs (d) and (e) of subsection (3),
16 respectively, and new paragraphs (c) and (d) are added to
17 subsection (2) and a new paragraph (c) is added to subsection
18 (3) of that section, to read:

19 330.41 Unmanned Aircraft Systems Act.—

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

21 (c) "Drone delivery service" means a person engaged in a
22 business or profession of delivering goods via drone and who is
23 governed by Title 14 of the Code of Federal Regulations.

24 (d) "Drone port" means any area of nonresidential land or
25 water which is used, or intended for use, by a drone delivery
26 service for the landing and takeoff of drones.

27 (3) REGULATION.—

28 (c) Except as otherwise expressly provided, and
29 notwithstanding part II of chapter 163 and chapter 205, a

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30 political subdivision may not withhold issuance of a business
31 tax receipt or enact or enforce an ordinance or resolution that
32 prohibits a drone delivery service's operation based on the
33 location of the delivery service's drone port.

34 Section 2. Paragraph (1) is added to subsection (10) of
35 section 553.73, Florida Statutes, to read:

36 553.73 Florida Building Code.—

37 (10) The following buildings, structures, and facilities
38 are exempt from the Florida Building Code as provided by law,
39 and any further exemptions shall be as determined by the
40 Legislature and provided by law:

41 (1) A drone port as defined in s. 330.41(2).

42
43 With the exception of paragraphs (a), (b), (c), and (f), in
44 order to preserve the health, safety, and welfare of the public,
45 the Florida Building Commission may, by rule adopted pursuant to
46 chapter 120, provide for exceptions to the broad categories of
47 buildings exempted in this section, including exceptions for
48 application of specific sections of the code or standards
49 adopted therein. The Department of Agriculture and Consumer
50 Services shall have exclusive authority to adopt by rule,
51 pursuant to chapter 120, exceptions to nonresidential farm
52 buildings exempted in paragraph (c) when reasonably necessary to
53 preserve public health, safety, and welfare. The exceptions must
54 be based upon specific criteria, such as under-roof floor area,
55 aggregate electrical service capacity, HVAC system capacity, or
56 other building requirements. Further, the commission may
57 recommend to the Legislature additional categories of buildings,
58 structures, or facilities which should be exempted from the

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59 Florida Building Code, to be provided by law. The Florida
60 Building Code does not apply to temporary housing provided by
61 the Department of Corrections to any prisoner in the state
62 correctional system.

63 Section 3. This act shall take effect July 1, 2023.