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Proposed Legislative Summary

Proposed Bill on Protective Drone Operations
entitled the “Charlie Kirk Aerial Protection Act”

Bill Title

“Charlie Kirk Aerial Protection Act”

Sponsor

(To be determined)

Committee of Reference

(To be determined)

Current Situation

Florida’s Drone Surveillance Law

- Section **934.50, F.S. (Freedom from Unwarranted Surveillance Act)** prohibits the use of drones by law enforcement and private persons to capture images of privately owned real property or individuals with a reasonable expectation of privacy, unless a specific statutory exception applies.
- Exceptions exist for:
 - Law enforcement with a warrant or exigent circumstances.
 - Aerial mapping, utility inspections, property appraisals, etc.
 - State-licensed businesses performing tasks within their license *except private investigators*.

Security vs. Private Investigation

- Under **Chapter 493, F.S.**, licensed **security agencies/officers** provide protection of people or property.
- Licensed **private investigators** gather information about people, movements, or property.
- § 934.50(7)(b) explicitly excludes private investigators from drone-use exceptions, reflecting privacy concerns.



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Restriction Problem

- **Threat assessments from elevated positions (rooftops, balconies, high-rises)** for protective security are not included in the current list of exceptions.
- Even if performed by a licensed security agency under Chapter 493, such flights could be interpreted as **prohibited surveillance**, since:
 - They involve imaging of private property where people have an expectation of privacy.
 - There is no explicit carve-out for protective sweeps or rooftop threat assessments.
- As a result, a licensed security officer or FAA-certified remote pilot **cannot legally conduct a drone sweep of rooftops or vantage points** before a political rally or speech without risking statutory violation.

Effect of Proposed Changes

The bill creates a **specific carve-out** for protective security operations under Chapters **934 and 493**, authorizing:

1. **Pre-event and real-time protective sweeps** of rooftops, elevated vantage points, and other areas within line of sight of a political candidate, public official, or principal under protection.
2. **Contracting authority** for licensed security agencies to employ or retain FAA-certified small UAS (sUAS) remote pilots.
3. **Immediate hostile incident authority** – during an active shooter, sniper, or bombing event, licensees and contracted pilots may take immediate action to deploy drones to identify hostile actors and locate victims **without waiting for law enforcement direction**.
4. **Immunity from civil and criminal liability** – good faith actions, absent gross negligence, are protected under this bill and explicitly tied to Florida's **Good Samaritan Act (s. 768.13, F.S.)**.
5. **Privacy safeguards** – imagery must be limited to the protective mission and destroyed within 30 days unless needed as evidence or for ongoing assessments.



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Justification

- **Donald J. Trump assassination attempt (2024)** — sniper-style attack from an elevated position demonstrates the vulnerability of candidates at public events.
- **Charlie Kirk assassination (2025)** — campus attack highlights the risk of elevated or hidden shooters during civic and political gatherings.
- **Florida's Pulse nightclub shooting and Parkland school shooting** — underscore the importance of rapid situational awareness and locating victims.

This bill ensures **seconds are not lost** while waiting for law enforcement direction. It empowers licensed protective services to act immediately, lawfully, and responsibly, while retaining strict accountability and privacy protections.

Fiscal Impact

- Minimal. Costs limited to regulatory enforcement by FDACS (licensing authority for Chapter 493).
- No direct state appropriations required.

Effective Date

July 1, 2026



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Side-by-Side Comparison – Protective Drone Operations

Statute	Current Law	Proposed Change (Bill)
§ 934.50, F.S. – Freedom from Unwarranted Surveillance Act	<ul style="list-style-type: none"> Prohibits use of drones to capture images of private property or individuals with reasonable expectation of privacy, unless a listed exception applies. Exceptions exist for law enforcement (warrant/exigent), utilities, aerial mapping, property appraisals, etc. Exception allows state-licensed professions, <i>but excludes private investigators</i>. No exception for protective threat sweeps or rooftop assessments. 	<ul style="list-style-type: none"> Adds new subsection (7)(h) creating a Protective Security Operations exception. Authorizes licensed security agencies/officers to conduct pre-event and real-time rooftop/elevated sweeps for protective purposes. Explicitly permits contracting FAA-certified sUAS remote pilots. Authorizes immediate hostile-event deployment without waiting for law enforcement direction. Provides civil and criminal immunity for good faith actions tied to the Good Samaritan Act (s. 768.13). Limits retention of imagery to 30 days unless evidence/ongoing assessment.
§ 493.6101, F.S. – Definitions	<ul style="list-style-type: none"> Defines “private investigation” as gathering info about identity, habits, movements, etc. Does not exclude protective drone operations. Risk: Protective sweeps could be misclassified as private investigation rather than security services. 	<ul style="list-style-type: none"> Amends subsection (17) to clarify: Protective drone operations by licensed security personnel are not private investigation. Includes contracted FAA Part 107 remote pilots under licensee’s authority. Provides immunity from civil/criminal liability for good faith protective drone use.
New § 493.63, F.S. – Authorized Drone Protective Operations	<p>No current statutory section.</p> <p>Protective drone operations by security licensees not addressed.</p>	<ul style="list-style-type: none"> Creates new section explicitly authorizing Class “B,” “C,” and “D” licensees to use drones for executive protection and event security. Establishes contracting authority for outside FAA Part 107 pilots. Codifies immediate action during hostile events as presumed lawful assistance to law enforcement. Provides immunity for good faith operators, consistent with Good Samaritan Act. Limits data collection/retention to protective mission only, subject to § 934.50.



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Proposed Legislative Findings and Intent

Section X. Legislative Findings and Intent.

(1) The Legislature finds that the safety of public officials, political candidates, and members of the public attending political, educational, and civic events is a matter of compelling state interest.

(2) The Legislature recognizes that hostile acts, including sniper attacks and targeted shootings, pose an imminent and grave threat to public safety. The July 2024 assassination attempt against presidential candidate Donald J. Trump, in which the assailant gained elevated access and fired from a rooftop vantage point, demonstrates the vulnerability of candidates to sniper-style attacks.

(3) The Legislature further recognizes the recent assassination of Charlie Kirk on September 10, 2025 while speaking on a college campus, where the assailant was able to exploit weaknesses in venue security and attack from an elevated position, as tragic evidence of how public discourse and political engagement are threatened by acts of violence.

(4) These events underscore the urgent necessity of equipping licensed security professionals and their contracted unmanned aircraft system (UAS) remote pilots with lawful authority to conduct protective aerial sweeps of rooftops, elevated areas, and other vantage points prior to and during such events, for the sole purpose of preventing and mitigating hostile acts.

(5) The Legislature finds that in moments of imminent hostile attack, seconds matter. Security officers and contracted UAS operators must be empowered to act immediately to identify the location of a shooter, sniper, or bomber, and to locate victims requiring life-saving measures, without waiting for express instruction from law enforcement.

(6) The Legislature intends that such protective operations shall be deemed assistance to law enforcement officers in need of aid, consistent with Florida law, and that actions taken in good faith and without gross negligence under these circumstances shall be immune from civil liability and criminal prosecution, in harmony with the Good Samaritan Act, § 768.13, Florida Statutes.

(7) It is the intent of the Legislature that these provisions strike a careful balance: strengthening the capacity of licensed protective services to prevent mass casualty events, while maintaining Florida's strong commitment to privacy by narrowly tailoring drone use to protective missions, limiting data retention, and prohibiting expansion of these powers into general surveillance or private investigation.



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

Section 1. Legislative Findings and Intent.

The Legislature finds and declares the following:

(Include the **Legislative Findings** language we drafted earlier referencing the Donald Trump assassination attempt, the assassination of Charlie Kirk, and sniper-style threats.)

Section 2. Subsection (7)(h) is added to section 934.50, Florida Statutes, to read:

(Insert the expanded protective-security carve-out language we drafted for §934.50, including authorization for contracted FAA-certified sUAS pilots, immediate hostile-incident authority, and civil/criminal immunity tied to the Good Samaritan Act.)

Section 3. Subsection (17) of section 493.6101, Florida Statutes, is amended to read:

(Insert the clarification excluding protective drone operations from the definition of “private investigation,” and tying them to security services.)

Section 4. Section 493.63, Florida Statutes, is created to read:

493.63 Authorized drone protective operations by security licensees.

- (1) A Class “B” licensed security agency, or a Class “C” or “D” licensee employed by such an agency, may utilize unmanned aircraft systems as part of an executive protection or event security detail.
- (2) Such use shall be deemed a security service and not a private investigation under this chapter.
- (3) The licensed agency or officer may contract with, employ, or retain a third-party FAA-certified small unmanned aircraft system (sUAS) remote pilot to conduct drone operations for protective purposes.
- (4) The contracting licensee remains responsible for:
 - (a) Defining the protective mission scope;
 - (b) Ensuring compliance with s. 934.50 and all applicable FAA regulations, including Part 107; and
 - (c) Ensuring secure handling, retention, and disposition of any imagery or data collected.



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(5) In the event of an active hostile incident, including but not limited to a sniper, shooting, bombing, or other imminent threat to life, the licensee and/or contracted sUAS operator is expressly authorized to take immediate action to deploy, redirect, or reposition a drone to assist in locating the source of the threat, identifying the perpetrator, or locating potential victims for the purpose of directing emergency life-saving measures. Such immediate action shall be legally presumed to constitute assistance to law enforcement officers in need of aid under Florida law.

(6) **Immunity.** A licensee or contracted sUAS remote pilot acting under subsection (5) in good faith and without gross negligence is immune from civil liability and criminal prosecution for acts or omissions arising out of such deployment, including any incidental or unavoidable invasion of privacy, provided the actions were reasonably necessary to identify the hostile actor or to locate victims for the purpose of directing life-saving measures. This subsection shall be interpreted consistently with s. 768.13, Florida Statutes (Good Samaritan Act), and shall be deemed supplementary to its protections.

(7) Any data collected shall be limited to the protective mission and handled in accordance with s. 934.50.

Section 5. This act shall take effect July 1, 2026.