



HB 1117

2003
CS

CHAMBER ACTION

The Committee on Public Safety & Crime Prevention recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to breaking or injuring fences; amending s. 810.115, F.S.; providing a felony penalty for breaking or injuring a fence if animals are contained by the fence at the time of the offense; providing an effective date.

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

Section 1. Section 810.115, Florida Statutes, is amended to read:

810.115 Breaking or injuring fences.--

(1) Whoever willfully and maliciously breaks down, mars, injures, defaces, cuts, or otherwise creates or causes to be created an opening, gap, interruption, or break in any fence, or any part thereof, belonging to or enclosing land not his or her own, or whoever causes to be broken down, marred, injured, defaced, or cut any fence belonging to or enclosing land not his



HB 1117

2003
CS

28 | or her own, commits a misdemeanor of the first degree,
29 | punishable as provided in s. 775.082 or s. 775.083, ~~and~~

30 | (2) If the offender breaks or injures a fence as provided
31 | in subsection (1) and the fence or any part thereof is used to
32 | contain animals at the time of the offense, the offender commits
33 | a felony of the third degree, punishable as provided in s.
34 | 775.082, s. 775.083, or s. 775.084.

35 | (3) The court may require full compensation to the owner
36 | of the fence for any and all damages or losses resulting
37 | directly or indirectly from the act or commission pursuant to s.
38 | 775.089.

39 | Section 2. This act shall take effect July 1, 2003.