



1 A bill to be entitled

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

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

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

11 810.115 Breaking or injuring fences.--

12 (1) Whoever willfully and maliciously breaks down, mars,
13 injures, defaces, cuts, or otherwise creates or causes to be
14 created an opening, gap, interruption, or break in any fence, or
15 any part thereof, belonging to or enclosing land not his or her
16 own, or whoever causes to be broken down, marred, injured,
17 defaced, or cut any fence belonging to or enclosing land not his
18 or her own, commits a misdemeanor of the first degree,
19 punishable as provided in s. 775.082 or s. 775.083, ~~and~~

20 (2) If the offender breaks or injures a fence as provided
21 in subsection (1) and the fence or any part thereof is used to
22 contain animals at the time of the offense, the offender commits
23 a felony of the third degree, punishable as provided in s.
24 775.082, s. 775.083, or s. 775.084.

25 (3) The court may require full compensation to the owner
26 of the fence for any and all damages or losses resulting
27 directly or indirectly from the act or commission pursuant to s.
28 775.089.



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