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

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

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

12 810.115 Breaking or injuring fences.--

13 (1) Whoever willfully and maliciously breaks down,
14 mars, injures, defaces, cuts, or otherwise creates or causes
15 to be created an opening, gap, interruption, or break in any
16 fence, or any part thereof, belonging to or enclosing land not
17 his or her own, or whoever causes to be broken down, marred,
18 injured, defaced, or cut any fence belonging to or enclosing
19 land not his or her own, commits a misdemeanor of the first
20 degree, punishable as provided in s. 775.082 or s. 775.083.~~7~~
21 ~~and~~

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

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

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