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A bill to be entitled  
 An act relating to trespass; amending s. 810.011, F.S.;  
 providing that property that is owned or leased by a  
 railroad or railway company does not have to satisfy the  
 definition of "posted land" in order to obtain the  
 benefits of ss. 810.09 and 810.12, F.S., in certain  
 circumstances; reenacting s. 810.09(1)(a), F.S., relating  
 to trespass on property other than structure or  
 conveyance, for the purpose of incorporating the amendment  
 to s. 810.011, F.S., in a reference thereto; providing an  
 effective date.

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

Section 1. Subsection (5) of section 810.011, Florida  
 Statutes, is amended to read:

810.011 Definitions.--As used in this chapter:

(5)(a) "Posted land" is that land upon which signs are  
 placed not more than 500 feet apart along, and at each corner  
 of, the boundaries of the land, upon which signs there appears  
 prominently, in letters of not less than 2 inches in height, the  
 words "no trespassing" and in addition thereto the name of the  
 owner, lessee, or occupant of said land. Said signs shall be  
 placed along the boundary line of posted land in a manner and in  
 such position as to be clearly noticeable from outside the  
 boundary line.

(b) It shall not be necessary to give notice by posting on  
 any enclosed land or place not exceeding 5 acres in area on

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29 | which there is a dwelling house in order to obtain the benefits  
 30 | of ss. 810.09 and 810.12 pertaining to trespass on enclosed  
 31 | lands.

32 |       (c) It shall not be necessary to give notice by posting as  
 33 | required in paragraph (a) on any stationary rails or roadbeds  
 34 | that are owned or leased by a railroad or railway company and  
 35 | are:

36 |           1. Readily recognizable to a reasonable person as being  
 37 | the property of a railroad or railway company; or

38 |           2. Identified by conspicuous fencing or signs indicating  
 39 | that the property is owned or leased by a railroad or railway  
 40 | company

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 42 | in order to obtain the benefits of ss. 810.09 and 810.12  
 43 | pertaining to trespass on enclosed lands.

44 |       Section 2. For the purpose of incorporating the amendment  
 45 | to section 810.011, Florida Statutes, in a reference thereto,  
 46 | paragraph (a) of subsection (1) of section 810.09, Florida  
 47 | Statutes, is reenacted to read:

48 |       810.09 Trespass on property other than structure or  
 49 | conveyance.--

50 |       (1)(a) A person who, without being authorized, licensed,  
 51 | or invited, willfully enters upon or remains in any property  
 52 | other than a structure or conveyance:

53 |           1. As to which notice against entering or remaining is  
 54 | given, either by actual communication to the offender or by  
 55 | posting, fencing, or cultivation as described in s. 810.011; or

56 |           2. If the property is the unenclosed curtilage of a

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57 dwelling and the offender enters or remains with the intent to  
58 commit an offense thereon, other than the offense of trespass,  
59  
60 commits the offense of trespass on property other than a  
61 structure or conveyance.

62 Section 3. This act shall take effect October 1, 2005.