

1 A bill to be entitled
 2 An act relating to trespass; creating s. 810.091, F.S.;
 3 prohibiting trespass on the grounds or structure of a
 4 domestic violence shelter; providing definitions;
 5 providing penalties; providing an effective date.

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 7 WHEREAS, in situations involving domestic violence, victims
 8 of abuse may require a safe place to live away from their
 9 abuser, and

10 WHEREAS, domestic violence shelters have been established
 11 in communities as safe havens for victims away from their
 12 abusers, and

13 WHEREAS, it is the intent of the Legislature that victims
 14 be safe in such shelters without fear of harm from those that
 15 have abused them, and

16 WHEREAS, there have been instances of abusers trespassing
 17 upon the grounds or structures of domestic violence shelters for
 18 the purposes of harassing, intimidating, threatening, or harming
 19 victims of domestic violence, and

20 WHEREAS, the penalty for trespass upon such structures or
 21 property is only a misdemeanor offense, which provides neither
 22 sufficient deterrent effect nor sufficient punishment for such
 23 trespass, NOW, THEREFORE,

24
 25 Be It Enacted by the Legislature of the State of Florida:

26
 27 Section 1. Section 810.091, Florida Statutes, is created
 28 to read:

29 810.091 Trespass on domestic violence shelter property.--

30 (1) Any person who does not have legitimate business or
 31 any authorization, license, or invitation to enter or remain
 32 upon the grounds or structure of a domestic violence shelter and
 33 who enters or remains upon the grounds or structure of such a
 34 shelter commits a trespass upon the grounds or structure of a
 35 domestic violence shelter and commits a felony of the third
 36 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 37 775.084.

38 (2) For purposes of this section, the term:

39 (a) "Domestic violence shelter" means a facility whose
 40 purpose is to serve as a shelter to receive and house persons
 41 who are victims of domestic violence and that serves as such a
 42 shelter.

43 (b) "Grounds" means the real property of the parcel of land
 44 upon which a domestic violence shelter is located, whether
 45 fenced or unfenced.

46 Section 2. This act shall take effect January 1, 2007.