

1 A bill to be entitled
 2 An act relating to trespass; amending s. 810.011, F.S.;
 3 defining the term "construction site" for specified
 4 purposes; amending s. 810.09, F.S.; revising requirements
 5 for posting on a construction site; revising the
 6 definition of the terms "authorized person" or "person
 7 authorized" for specified purposes; providing an effective
 8 date.

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

11
 12 Section 1. Subsection (13) is added to section 810.011,
 13 Florida Statutes, to read:

14 810.011 Definitions.--As used in this chapter:

15 (13) "Construction site" means any property upon which
 16 there is construction that is subject to building permit posting
 17 requirements.

18 Section 2. Paragraph (d) of subsection (2) and subsection
 19 (3) of section 810.09, Florida Statutes, are amended to read:

20 810.09 Trespass on property other than structure or
 21 conveyance.--

22 (2)

23 (d) The offender commits a felony of the third degree,
 24 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 25 if the property trespassed is a construction site that is:

26 1. Greater than 1 acre in area and ~~that~~ is legally posted
 27 and identified in substantially the following manner: "THIS AREA

28 IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON
29 THIS PROPERTY COMMITS A FELONY."; or

30 2. One acre or less in area and is identified as such with
31 a sign that appears prominently, in letters of not less than 2
32 inches in height, and reads in substantially the following
33 manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE
34 WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY." The sign
35 shall be placed at the location on the property where the
36 permits for construction are located. For construction sites of
37 1 acre or less as provided in this subparagraph, it shall not be
38 necessary to give notice by posting as defined in s. 810.011(5).

39 (3) As used in this section, the term "authorized person"
40 or "person authorized" means any owner, ~~or~~ his or her agent, or
41 a community association authorized as an agent for the owner, or
42 any law enforcement officer whose department has received
43 written authorization from the owner, ~~or~~ his or her agent, or a
44 community association authorized as an agent for the owner, to
45 communicate an order to leave the property in the case of a
46 threat to public safety or welfare.

47 Section 3. This act shall take effect July 1, 2007.