

Bill No. CS for CS for SB 2754

Barcode 943672

1 (5)(a) "Posted land" is that land upon which:

2 1. Signs are placed not more than 500 feet apart
3 along, and at each corner of, the boundaries of the land, upon
4 which signs there appears prominently, in letters of not less
5 than 2 inches in height, the words "no trespassing" and in
6 addition thereto the name of the owner, lessee, or occupant of
7 said land. Said signs shall be placed along the boundary line
8 of posted land in a manner and in such position as to be
9 clearly noticeable from outside the boundary line; ~~or-~~

10 2.a. Conspicuous no trespassing notice is painted on
11 trees or posts on the property, provided that the notice is:

12 (I) Painted in a safety orange color and displaying
13 the stenciled words "No Trespassing" in letters no less than 2
14 inches high and 1 inch wide either vertically or horizontally;

15 (II) Placed so that the bottom of the painted notice
16 is not less than 1 foot from the ground or more than 5 feet
17 from the ground; and

18 (III) Placed at locations that are readily visible to
19 any person approaching the property and no more than 500 feet
20 apart on agricultural land.

21 b. Beginning October 1, 2007, when a landowner uses
22 the painted no trespassing posting to identify a "no
23 trespassing" area, those painted notices shall be accompanied
24 by signs complying with subparagraph 1. and placed
25 conspicuously at all places where entry to the property is
26 normally expected or known to occur.

27 (b) It shall not be necessary to give notice by
28 posting on any enclosed land or place not exceeding 5 acres in
29 area on which there is a dwelling house in order to obtain the
30 benefits of ss. 810.09 and 810.12 pertaining to trespass on
31 enclosed lands.

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1 Section 5. Section 810.10, Florida Statutes, is
2 amended to read:

3 810.10 Posted land; removing notices unlawful;
4 penalty.--

5 (1) It is unlawful for any person to willfully remove,
6 destroy, mutilate, or commit any act designed to remove,
7 mutilate, or reduce the legibility or effectiveness of any
8 posted notice placed by the owner, tenant, lessee, or occupant
9 of legally enclosed or legally posted land pursuant to any law
10 of this state for the purpose of legally enclosing the same.

11 (2) Any person violating the provisions of this
12 section commits ~~shall be guilty of~~ a misdemeanor of the first
13 ~~second~~ degree, punishable as provided in s. 775.082 or s.
14 775.083.

15 Section 6. Subsection (1) of section 810.115, Florida
16 Statutes, is amended to read:

17 810.115 Breaking or injuring fences.--

18 (1) Whoever willfully and maliciously breaks down,
19 mars, injures, defaces, cuts, or otherwise creates or causes
20 to be created an opening, gap, interruption, or break in any
21 fence, or any part thereof, belonging to or enclosing land not
22 his or her own, or whoever causes to be broken down, marred,
23 injured, defaced, or cut any fence belonging to or enclosing
24 land not his or her own, commits a misdemeanor of the first
25 degree, punishable as provided in s. 775.082 or s. 775.083. A
26 person who commits a second or subsequent offense under this
27 subsection commits a felony of the third degree, punishable as
28 provided in s. 775.082, s. 775.083, or s. 775.084.

29
30 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 14, after the second semicolon,

4

5 insert:

6 creating s. 810.125, F.S.; limiting liability

7 for injury to certain trespassers on

8 agricultural property; amending s. 810.011,

9 F.S.; revising the definition of "posted land"

10 to provide an alternative method of posting;

11 amending s. 810.10, F.S.; increasing criminal

12 penalties for certain offenses relating to

13 notices on posted land; amending s. 810.115,

14 F.S.; increasing criminal penalties for certain

15 offenses relating to breaking or injuring

16 fences;

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