

By the Committees on Criminal Justice; and Judiciary; and
Senators Diaz de la Portilla and Lynn

591-04439-11

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1 A bill to be entitled
2 An act relating to landlord and tenant; amending ss.
3 810.08 and 810.09, F.S.; allowing a law enforcement
4 officer to remove persons who trespass in a structure
5 or conveyance or on property if the law enforcement
6 officer receives an affidavit from an owner or
7 mortgagee of the property; providing an effective
8 date.

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

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12 Section 1. Subsection (1) of section 810.08, Florida
13 Statutes, is amended to read:

14 810.08 Trespass in structure or conveyance.—

15 (1) (a) Whoever, without being authorized, licensed, or
16 invited, willfully enters or remains in any structure or
17 conveyance, or, having been authorized, licensed, or invited, is
18 warned by the owner or lessee of the premises, or by a person
19 authorized by the owner or lessee, to depart and refuses to do
20 so, commits the offense of trespass in a structure or
21 conveyance.

22 (b) A law enforcement officer in receipt of an affidavit
23 from an owner or a mortgagee of the property may remove a person
24 who is in violation of this section.

25 Section 2. Paragraph (c) is added to subsection (1) of
26 section 810.09, Florida Statutes, to read:

27 810.09 Trespass on property other than structure or
28 conveyance.—

29 (1)

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30 (c) A law enforcement officer in receipt of an affidavit
31 from an owner or a mortgagee of the property may remove a person
32 who is in violation of this section.

33 Section 3. This act shall take effect July 1, 2011.