

Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
 2 Representative Drake offered the following:

Amendment to Amendment (812937) by Representative Ford

5 Remove lines 670-686 of the amendment and insert:

6 Section 11. Paragraphs (d) and (e) of subsection (1) of
 7 section 812.145, Florida Statutes, are redesignated as
 8 paragraphs (f) and (g), respectively, a new paragraphs (d)and
 9 (e) are added to that subsection, and subsections (3) and (4)
 10 are added to that section, to read:

11 812.145 Theft of copper or other nonferrous metals.-

12 (1) As used in this section, the terms:

13 (d) "Utility" means a public utility or electric utility
 14 as defined in s. 366.02, or a ~~includes any~~ person, firm,
 15 corporation, association, or political subdivision, whether
 16 private, municipal, county, or cooperative, which is engaged in
 17 the sale, generation, provision, or delivery of gas, ~~or~~
 18 electricity, heat, water, oil, sewer service, or telephone,

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19 telegraph, radio, telecommunications, or communications service
20 services.

21 (e) "Electrical substation" means a facility that takes
22 electricity from the transmission grid and converts it to a
23 lower voltage so it can be distributed to customers in the local
24 area on the local distribution grid through one or more
25 distribution lines less than 69 kilovolts in size.

26 (3) A person who is found in a civil action to have
27 illegally taken copper or other nonferrous metals from a utility
28 or communications services provider based on a conviction for a
29 violation of subsection (2) is liable to the utility or
30 communications services provider for damages in an amount equal
31 to three times the actual damages sustained by the utility or
32 communications services provider due to any personal injury,
33 wrongful death, or property damage caused by the illegal taking
34 of the nonferrous metals or an amount equal to three times any
35 claim made against the utility or communications services
36 provider for any personal injury, wrongful death, or property
37 damage caused by the malfunction of the facilities of the
38 utility or communications services provider resulting from the
39 violation of subsection (2), whichever is greater.

40 (4) A person who knowingly and intentionally removes
41 copper or other nonferrous metals from an electrical substation
42 without authorization of the utility commits a felony of the
43 first degree, punishable as provided in s. 775.082, s. 775.083,
44 or s. 775.084.