

ENROLLED

HB 523

2018 Legislature

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An act relating to trespass on airport property;
amending s. 810.09, F.S.; providing enhanced criminal
penalties for a trespass upon the operational area of
an airport with specified intent if specified signage
is posted; providing a definition; providing an
effective date.

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

Section 1. Paragraph (j) is added to subsection (2) of
section 810.09, Florida Statutes, and paragraph (a) of
subsection (1) of that section is republished, to read:

810.09 Trespass on property other than structure or
conveyance.—

(1) (a) A person who, without being authorized, licensed,
or invited, willfully enters upon or remains in any property
other than a structure or conveyance:

1. As to which notice against entering or remaining is
given, either by actual communication to the offender or by
posting, fencing, or cultivation as described in s. 810.011; or

2. If the property is the unenclosed curtilage of a
dwelling and the offender enters or remains with the intent to
commit an offense thereon, other than the offense of trespass,

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26 | commits the offense of trespass on property other than a
27 | structure or conveyance.

28 | (2)

29 | (j)1. The offender commits a felony of the third degree,
30 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
31 | if the offender trespasses with the intent to injure another
32 | person, damage property, or impede the operation or use of an
33 | aircraft, runway, taxiway, ramp, or apron area, and the property
34 | trespassed upon is the operational area of an airport that is
35 | legally posted and identified in substantially the following
36 | manner: "THIS AREA IS A DESIGNATED OPERATIONAL AREA OF AN
37 | AIRPORT AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A
38 | FELONY."

39 | 2. For purposes of this paragraph, the term "operational
40 | area of an airport" means any portion of an airport to which
41 | access by the public is prohibited by fences or appropriate
42 | signs and includes runways, taxiways, ramps, apron areas,
43 | aircraft parking and storage areas, fuel storage areas,
44 | maintenance areas, and any other area of an airport used or
45 | intended to be used for landing, takeoff, or surface maneuvering
46 | of aircraft.

47 | Section 2. This act shall take effect October 1, 2018.