

1 A bill to be entitled
 2 An act relating to Melbourne-Tillman Water Control
 3 District, Brevard County; amending ch. 2001-336, Laws
 4 of Florida, as amended; providing requirements for
 5 establishing an offense of trespass; requiring certain
 6 signage for trespass on posted land and providing
 7 requirements therefor; providing prima facie evidence
 8 of intent to trespass; defining the term "unlawful
 9 dumping"; providing requirements for certain law
 10 enforcement agencies; providing immunity for certain
 11 law enforcement officers; providing an effective date.

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

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 15 Section 1. Section 33 is added to section 3 of chapter
 16 2001-336, Laws of Florida, as amended by chapters 2019-175,
 17 2010-253, and 2003-334, Laws of Florida, to read:

18 Section 33. Trespass.—For purposes of chapter 810, Florida
 19 Statutes, establishing an offense of trespass, as it relates to
 20 lands owned by the District, shall require all of the following:

21 (1) Posted land, as defined in section 810.011(5), Florida
 22 Statutes, shall require placement of signs at or near the
 23 intersection of a District canal right-of-way and a road right-
 24 of-way and shall comply with the lettering and size requirements
 25 of that section.

26 (2) The unlawful dumping by any person of any personal
27 property of any kind on or in a District canal right-of-way is
28 prima facie evidence of the intention of such person to commit
29 an act of trespass. For purposes of this subsection, the term
30 "unlawful dumping" shall mean dumping, placing, throwing,
31 discarding, depositing, disposing of, draining, or discharging
32 the following items, including, but not limited to, any item of
33 personal property; fluids; tires; household items; appliances;
34 garbage; vehicles; trucks; trailers; motorhomes; vessels; farm
35 machinery or equipment; sheds; garden, landscaping, tree, or
36 yard debris; fencing; construction materials; hazardous waste as
37 defined by any state or federal regulatory agency; human or
38 animal waste; pharmaceuticals of any kind; fertilizers; or any
39 substance in any form resulting from domestic, industrial,
40 commercial, mining, agriculture, or government operations in or
41 upon a District canal right-of-way without the express written
42 consent of the District Board of Directors or the District
43 manager or his or her designee.

44 (3) Upon contact from the District, the law enforcement
45 agency in whose jurisdiction any alleged trespass of District
46 property has occurred shall respond and arrest either on or off
47 any District canal right-of-way or any other District property,
48 facility, or equipment and with or without warrant any person
49 the officer has probable cause to believe has committed the
50 offense of trespass upon any District canal right-of-way or any

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51 other District property, facility, or equipment, or has
52 otherwise violated subsection (2). Such arrest shall not render
53 the law enforcement officer criminally or civilly liable for
54 false arrest, false imprisonment, or unlawful detention.

55 Section 2. This act shall take effect upon becoming a law.