



134914

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2024	.	
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The Committee on Criminal Justice (Berman) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) and paragraph (h) of subsection
(2) of section 810.09, Florida Statutes, is amended 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



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11 than a structure or conveyance:

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

15 2. If the property is the unenclosed curtilage of a
16 dwelling and the offender enters or remains with the intent to
17 commit an offense thereon, other than the offense of trespass,
18
19 commits the offense of trespass on property other than a
20 structure or conveyance.

21 (b) As used in this section, the term "unenclosed
22 curtilage" means the unenclosed land or grounds, and any
23 outbuildings, that are directly and intimately adjacent to and
24 connected with the dwelling and necessary, convenient, and
25 habitually used in connection with that dwelling.

26 (2)

27 (h) Any person who ~~in taking or attempting to take any~~
28 ~~animal described in s. 379.101(19) or (20), or in killing,~~
29 ~~attempting to kill, or endangering any animal described in s.~~
30 ~~585.01(13)~~ willfully and knowingly propels or causes to be
31 propelled any potentially lethal projectile over or across
32 private land without authorization commits trespass, a felony of
33 the third degree, punishable as provided in s. 775.082, s.
34 775.083, or s. 775.084. For purposes of this paragraph, the term
35 "potentially lethal projectile" includes any projectile launched
36 from any firearm, bow, crossbow, or similar tensile device. This
37 paragraph section does not apply:

38 1. To any governmental agent or employee acting within the
39 scope of his or her official duties;



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40 2. To a person lawfully defending life or property or
41 performing official duties requiring the discharge of a
42 potentially lethal projectile; or

43 3. If, under the circumstances, the discharge of a
44 potentially lethal projectile does not pose a reasonably
45 foreseeable risk to life, safety, or property.

46 Section 2. This act shall take effect October 1, 2024.

47
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete everything before the enacting clause
51 and insert:

52 A bill to be entitled
53 An act relating to lethal projectiles over or across
54 private lands; amending s. 810.09, F.S.; prohibiting a
55 person from knowingly and willfully propelling a
56 projectile over or across private lands; providing
57 exceptions; providing an effective date.