

By Senator Yarborough

4-00264B-24

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1                                   A bill to be entitled  
 2       An act relating to intentional damage to critical  
 3       infrastructure; creating s. 812.141, F.S.; providing  
 4       definitions; providing criminal penalties for causing  
 5       intentional harm or damage to critical infrastructure;  
 6       providing for civil liability for such violations;  
 7       providing construction; providing an effective date.

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

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 11       Section 1. Section 812.141, Florida Statutes, is created to  
 12 read:

13       812.141 Intentional damage to critical infrastructure.—

14       (1) For purposes of this section, the term:

15       (a) "Critical infrastructure" means any of the following:

16       1. An electrical power generation, transmission, or  
 17 distribution facility, or a substation, a switching station, or  
 18 an electrical control center.

19       2. A chemical or rubber manufacturing or storage facility.

20       3. A mining facility.

21       4. A natural gas or compressed gas compressor station,  
 22 storage facility, or natural gas or compressed gas pipeline.

23       5. A liquid natural gas or propane gas terminal or storage  
 24 facility with a capacity of 4,000 gallons or more.

25       6. Any portion of an aboveground oil or gas pipeline.

26       7. A wireless communications facility, including the tower,  
 27 antennae, support structures, and all associated ground-based  
 28 equipment.

29       8. A water intake structure, water treatment facility,

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30 wastewater treatment plant, pump station, or lift station.

31 9. A deepwater port or railroad switching yard.

32 (b) "Improperly tampers" means, without permission or  
33 authority to do so, to change the physical location or the  
34 physical condition of the property or any portion thereof, or  
35 otherwise knowingly and intentionally move, deface, damage, or  
36 destroy the property or any portion thereof.

37 (2) A person who improperly tampers with critical  
38 infrastructure for which the owner or operator thereof has  
39 employed measures that are designed to exclude unauthorized  
40 persons, which may include measures such as fences, barriers, or  
41 guard posts, commits a felony of the second degree, punishable  
42 as provided in s. 775.082, s. 775.083, or s. 775.084.

43 (3) A person who is found in a civil action to have  
44 knowingly and intentionally harmed critical infrastructure based  
45 on a conviction for a violation of subsection (2) is liable to  
46 the utility, communication services provider, operator, or owner  
47 for damages in an amount equal to three times the actual damage  
48 sustained by the utility, communication services provider,  
49 operator, or owner due to any personal injury, wrongful death,  
50 or property damage caused by the act or an amount equal to three  
51 times any claim made against the utility, communications service  
52 provider, operator, or owner for any personal injury, wrongful  
53 death, or property damage caused by the malfunction of the  
54 critical infrastructure resulting from the violation of  
55 subsection (2), whichever is greater.

56 Section 2. A prosecution for an offense committed before  
57 July 1, 2024, is not abated or affected by this act, and a  
58 statute that would be applicable but for this act remains

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59 applicable to the prosecution.

60 Section 3. This act shall take effect July 1, 2024.