

Committee Substitute for  
Committee Substitute for Senate Bill No. 1480

An act relating to breaking or damaging fences; amending s. 810.115, F.S.; providing a felony penalty if animals are contained by the fence at the time of the offense; providing an effective date.

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

Section 1. Section 810.115, Florida Statutes, is amended to read:

810.115 Breaking or injuring fences.—

(1) Whoever willfully and maliciously breaks down, mars, injures, defaces, cuts, or otherwise creates or causes to be created an opening, gap, interruption, or break in any fence, or any part thereof, belonging to or enclosing land not his or her own, or whoever causes to be broken down, marred, injured, defaced, or cut any fence belonging to or enclosing land not his or her own, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, ~~and~~

(2) If the offender breaks or injures a fence as provided in subsection (1) and the fence or any part thereof is used to contain animals at the time of the offense, the offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) The court may require full compensation to the owner of the fence for any and all damages or losses resulting directly or indirectly from the act or commission pursuant to s. 775.089.

Section 2. This act shall take effect July 1, 2003.

Approved by the Governor May 27, 2003.

Filed in Office Secretary of State May 27, 2003.