

By Senator Broxson

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1 A bill to be entitled
2 An act relating to trespasses upon school buses;
3 creating s. 810.098, F.S.; defining the term "school
4 bus"; providing that a person who boards or enters any
5 part of or who remains upon a school bus commits a
6 trespass upon a school bus under specified
7 circumstances; providing criminal penalties; providing
8 that a person commits a trespass upon a public school
9 bus for additional specified actions; providing
10 criminal penalties; authorizing a law enforcement
11 officer to arrest a person, either on or off the
12 school bus and without warrant, if the officer has
13 probable cause for believing the person has committed
14 the offense of trespass upon a school bus; exempting a
15 law enforcement officer who arrests such person from
16 being held criminally or civilly liable for false
17 arrest, false imprisonment, or unlawful detention;
18 providing an effective date.

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

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22 Section 1. Section 810.098, Florida Statutes, is created to
23 read:

24 810.098 Trespass upon a school bus; penalties; arrest.—

25 (1) As used in this section, the term "school bus" has the
26 same meaning as in s. 1006.25(1).

27 (2) A person who boards or enters any part of or who
28 remains upon a school bus commits a trespass upon a school bus
29 and is guilty of a misdemeanor of the second degree, punishable

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30 as provided in s. 775.082 or s. 775.083, if such person:

31 (a) Does not have authorization, license, or an invitation
32 to board, enter any part of, or remain upon the school bus; or

33 (b) Is a student currently under suspension or expulsion.

34 (3) A person commits a trespass upon a public school bus
35 and is guilty of a misdemeanor of the first degree, punishable
36 as provided in s. 775.082 or s. 775.083, if such person:

37 (a) Boards or enters any part of or remains upon a school
38 bus after the school bus operator under contract with the school
39 district or another duly authorized school district official has
40 directed such person not to board or enter the school bus or to
41 disembark from the school bus;

42 (b) Intentionally and without lawful purpose stops,
43 impedes, delays, or detains the school bus in the course of its
44 official operation or with the intent of committing a crime; or

45 (c) Intentionally demolishes, destroys, defaces, burns, or
46 damages the school bus.

47 (4) A law enforcement officer may arrest, either on or off
48 the school bus and without warrant, a person who the officer has
49 probable cause to believe has committed the offense of trespass
50 upon a school bus. A law enforcement officer who makes such an
51 arrest may not be held criminally or civilly liable for false
52 arrest, false imprisonment, or unlawful detention.

53 Section 2. This act shall take effect October 1, 2017.