

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 1447](#)

TITLE: Trespass at Large Scale Ticketed Events

SPONSOR(S): Giallombardo

COMPANION BILL: [CS/SB 1828](#) (Martin)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

18 Y, 0 N, As CS



[Judiciary](#)

20 Y, 0 N

SUMMARY

Effect of the Bill:

The bill creates a third degree felony offense for trespass at a large scale ticketed event if a person 18 years of age or older willfully enters or remains in any restricted area during a covered event, without being authorized, licensed, or invited, or having been authorized, licensed, or invited, is warned by the owner or lessee of the venue hosting the covered event, or by a person authorized by the owner or lessee, to depart and refuses to do so. The bill creates a second degree misdemeanor if a person under 18 years of age commits the offense.

Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on prison beds by creating a felony offense related to trespassing, which may result in longer terms of incarceration for offenders convicted of a violation.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates a third degree felony [trespass](#) offense for trespass at a large scale ticketed event if a person:

- Without being authorized, licensed, or invited, willfully enters or remains in any restricted area during a covered event; or
- Having been authorized, licensed, or invited, is warned by the owner or lessee of the venue hosting the covered event, or by a person authorized by the owner or lessee, to depart and refuses to do so. (Section [1](#))

However, a person under 18 years of age who trespasses at a large scale ticketed event commits a second degree misdemeanor. (Section [1](#))

Under the bill:

- "Covered event" means a ticketed event where attendance exceeds 5,000 persons. The duration of such event includes the period from the time when a venue is held open to the public for such an event until the event ends and the venue is secured.
- "Person authorized" means any owner or lessee, or his or her agent, or any law enforcement officer whose department has received written authorization from the owner or lessee, or his or her agent, to communicate an order to depart the covered event in the case of a threat to public safety or welfare.
- "Restricted area" means any area designated for access by ticketed persons. (Section [1](#))

The effective date of the bill is upon becoming a law. (Section [2](#))

FISCAL OR ECONOMIC IMPACT:

STORAGE NAME: h1447b.JDC

DATE: 4/2/2025

STATE GOVERNMENT:

The bill may have an indeterminate positive impact on prison beds by creating a felony offense related to trespassing at a large scale ticketed event, which may result in longer terms of incarceration for offenders convicted of a violation.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Trespass Offenses

Trespass in a Structure or Conveyance

A person commits trespass in a structure or conveyance under [s. 810.08\(1\), F.S.](#), if he or she:

- Without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance; or
- Having been authorized, licensed, or invited, is warned by the owner or lessee of the premises, or by a person authorized by the owner or lessee, to depart and refuses to do so.¹

Trespassing in a structure or conveyance is generally a second degree misdemeanor,² but is enhanced to a:

- First degree misdemeanor,³ if there is a human being in the structure or conveyance at the time the offender trespassed, attempted to trespass, or was in the structure or conveyance.
- Third degree felony,⁴ if the offender is armed with a firearm or other dangerous weapon, or arms himself or herself with such while in the structure or conveyance.

Under [s. 810.011, F.S.](#):

- “Structure” means a building of any kind, either temporary or permanent, which has a roof over it, together with the curtilage thereof.⁵
- “Conveyance” means any motor vehicle, ship, vessel, railroad vehicle or car, trailer, aircraft, or sleeping car; and “to enter a conveyance” includes taking apart any portion of the conveyance.⁶

Trespass in Property Other Than a Structure or Conveyance

Under [s. 810.09\(1\), F.S.](#), a person commits trespass on property other than a structure or conveyance if he or she, without being authorized, licensed, or invited, willfully enters upon or remains in any property other than a structure or conveyance:⁷

- As to which notice against entering or remaining is given, either by actual communication to the offender or by posting, fencing, or cultivation as described in [s. 810.011, F.S.](#); or

¹ The term “person authorized” means any owner or lessee, or his or her agent, or any law enforcement officer whose department has received written authorization from the owner or lessee, or his or her agent, to communicate an order to depart the property in the case of a threat to public safety or welfare. S. [810.08\(3\), F.S.](#)

² A second degree misdemeanor is punishable by up to 60 days in county jail and a \$500 fine. [Ss. 775.082 and 775.083, F.S.](#)

³ A first degree misdemeanor is punishable by up to one year in county jail and a \$1,000 fine. [Ss. 775.082 and 775.083, F.S.](#)

⁴ A third degree felony is punishable by up to five years in prison and a \$5,000 fine. [Ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.](#)

⁵ S. [810.011\(1\), F.S.](#) However, during the time of a state of emergency declared by executive order or proclamation of the Governor under chapter 252, F.S., and within the area covered by such executive order or proclamation and for purposes of ss. [810.02](#) and [810.08, F.S.](#) only, the term means a building of any kind or such portions or remnants thereof as exist at the original site, regardless of absence of a wall or roof.

⁶ S. [810.011\(3\), F.S.](#) However, during the time of a state of emergency declared by executive order or proclamation of the Governor under chapter 252 and within the area covered by such executive order or proclamation and for purposes of ss. [810.02](#) and [810.08](#) only, the term “conveyance” means a motor vehicle, ship, vessel, railroad vehicle or car, trailer, aircraft, or sleeping car or such portions thereof as exist.

⁷ The term “authorized person” or “person authorized” means any owner, his or her agent, or a community association authorized as an agent for the owner, or any law enforcement officer whose department has received written authorization from the owner, his or her agent, or a community association authorized as an agent for the owner, to communicate an order to leave the property in the case of a threat to public safety or welfare. S. [810.09\(3\), F.S.](#)

- If the property is the unenclosed curtilage⁸ of a dwelling and the offender enters or remains with the intent to commit an offense thereon, other than the offense of trespass.

Trespassing on property other than a structure or conveyance is generally a first degree misdemeanor, but is enhanced to a third degree felony if the offender is armed with a firearm or other dangerous weapon during the commission of the trespass, or if the property trespassed has posted specified notice and is a:

- Construction site;
- Commercial horticulture property;
- Commercial agricultural property;⁹
- Agricultural site for testing or research purposes;
- Domestic violence center;
- Agricultural chemicals manufacturing facility; or
- Operational area of an airport.¹⁰

Related Offenses

Under [s. 871.05, F.S.](#), related to interfering with a sporting or entertainment event, a person commits a first degree misdemeanor if he or she:

- Intentionally touches or strikes a covered participant during a covered event against the will of the covered participant, or intentionally causes bodily harm to a covered participant during a covered event; or
- Willfully enters or remains in a restricted area during a covered event without being authorized, licensed, or invited to enter or remain in such a restricted area.¹¹

A person commits a third degree felony if he or she solicits a person to commit an above violation by offering money or any other thing of value to another to engage in specific conduct that constitutes such a violation.¹²

In part, [s. 871.05\(1\), F.S.](#), provides the following definitions:

- “Covered event” means an athletic competition or practice, including one conducted in a public venue, or a live artistic, theatrical, or other entertainment performance event. The duration of such event includes the period from the time when a venue is held open to the public for such an event until the end of the athletic competition or performance event.
- “Restricted area” means any area designated for use by players, coaches, officials, performers, or other personnel administering a covered event that is on, or adjacent to, the area of play or performance.

⁸ The term “unenclosed curtilage” means the unenclosed land or grounds, and any outbuildings, that are directly and intimately adjacent to and connected with the dwelling and necessary, convenient, and habitually used in connection with that dwelling. S. [810.09\(1\)\(b\), F.S.](#)

⁹ The term “commercial agricultural property” means property cleared of its natural vegetation or fenced for the purposes of planting, growing, harvesting, processing, raising, producing, or storing plant or animal commercial commodities. S. [810.09\(2\)\(i\)2., F.S.](#)

¹⁰ “Operational area of an airport” means any portion of an airport to which access by the public is prohibited by fences or appropriate signs and includes runways, taxiways, ramps, apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. S. [810.09\(2\)\(i\)2., F.S.](#)

¹¹ S. [871.05\(2\)-\(3\), F.S.](#)

¹² S. [871.05\(3\), F.S.](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	18 Y, 0 N, As CS	3/26/2025	Hall	Butcher
THE CHANGES ADOPTED BY THE COMMITTEE:		<ul style="list-style-type: none">Created a third degree felony trespass offense for trespass at a large scale ticketed event if a person willfully enters or remains in any restricted area during a covered event, or refuses to leave when warned by a specified authorized person.Defined the terms “covered event,” “person authorized,” and “restricted area” for purposes of describing the offense.Specified that a person under 18 years of age who trespasses at a large scale ticketed event commits a second degree misdemeanor.		
Judiciary Committee	20 Y, 0 N	4/2/2025	Kramer	Butcher

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
