

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                           (Y/N)  
ADOPTED AS AMENDED                           (Y/N)  
ADOPTED W/O OBJECTION                       (Y/N)  
FAILED TO ADOPT                                (Y/N)  
WITHDRAWN                                       (Y/N)  
OTHER                                            

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1 Committee/Subcommittee hearing bill: Criminal Justice  
2 Subcommittee

3 Representative Canady offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 812.141, Florida Statutes, is created  
8 to read:

9 812.141 Offenses involving critical infrastructure;  
10 improper tampering; civil remedies; trespass on critical  
11 infrastructure; computer offenses involving critical  
12 infrastructure.-

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

14 (a) "Critical infrastructure" means:

15 1. Any linear asset; or

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16        2. Any of the following for which the owner or operator  
17 thereof has employed physical or digital measures designed to  
18 exclude unauthorized persons, including, but not limited to,  
19 fences, barriers, guard posts, identity and access management,  
20 firewalls, virtual private networks, encryption, multi-factor  
21 authentication, passwords, or other cybersecurity systems and  
22 controls:

23        a. An electrical power generation, transmission, or  
24 distribution facility, or a substation, a switching station, or  
25 an electrical control center.

26        b. A chemical or rubber manufacturing or storage facility.

27        c. A mining facility.

28        d. A natural gas or compressed gas compressor station,  
29 storage facility, or natural gas or compressed gas pipeline.

30        e. A gas processing plant, including a plant used in the  
31 processing, treatment, or fractionation of natural gas.

32        f. A liquid natural gas or propane gas terminal or storage  
33 facility with a capacity of 4,000 gallons or more.

34        g. Any portion of an aboveground oil or gas pipeline.

35        h. A wireless or wired communications network, including  
36 the tower, antennae, support structures, and all associated  
37 ground-based equipment, including equipment intended to provide  
38 communications to governmental entities, including, but not  
39 limited to, law enforcement agencies, fire emergency medical

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40 services, emergency management agencies, or any other  
41 governmental entity.

42 i. A water intake structure, water treatment facility,  
43 wastewater treatment plant, pump station, or lift station.

44 j. A deepwater port, railroad switching yard, airport,  
45 trucking terminal, or other freight transportation facility.

46 k. A facility used for the operation, landing, takeoff, or  
47 surface maneuvering of vehicles, aircraft, or spacecraft.

48 l. A transmission facility used by a federally licensed  
49 radio or television station.

50 m. A military base or military facility conducting  
51 research and development of military weapons systems,  
52 subsystems, components, or parts.

53 n. A civilian defense industrial base conducting research  
54 and development of military weapons systems, subsystems,  
55 components, or parts.

56 o. Cyber or virtual assets, including electronic systems,  
57 networks, servers, data centers, devices, hardware, software, or  
58 data that are essential to the reliable operations, monitoring,  
59 and security of any critical infrastructure.

60 p. Dams and other water control structures.

61 (b) "Improperly tampers" means to knowingly and  
62 intentionally cause, or attempt to cause, a significant  
63 interruption or impairment of a function of critical  
64 infrastructure by:

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65 1. Changing the physical location or physical or virtual  
66 condition of the critical infrastructure, or any portion  
67 thereof, without permission or authority to do so;

68 2. Otherwise moving, damaging, or destroying the critical  
69 infrastructure or any portion thereof, without permission or  
70 authority to do so; or,

71 3. Accessing without authorization, introducing malware,  
72 or taking other any action that compromises the integrity or  
73 availability of the critical infrastructure's digital systems.

74 (c) "Linear asset" means any electric distribution or  
75 transmission asset, gas distribution or transmission pipeline,  
76 communication wirelines, or railway and any attachments thereto.

77 (2) A person who improperly tampers with critical  
78 infrastructure resulting in damage to critical infrastructure  
79 that is \$200 or more or in the interruption or impairment of the  
80 function of critical infrastructure which costs \$200 or more in  
81 labor and supplies to restore, commits a felony of the second  
82 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
83 775.084.

84 (3) A person who is found in a civil action to have  
85 improperly tampered with critical infrastructure based on a  
86 conviction for a violation of subsection (2) is liable to the  
87 owner or operator of the critical infrastructure for damages in  
88 an amount equal to three times the actual damage sustained by  
89 the owner or operator due to any property damage, personal

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90 injury, or wrongful death, caused by the act or an amount equal  
91 to three times any claim made against the owner or operator for  
92 any property damage, personal injury, or wrongful death caused  
93 by the malfunction of the critical infrastructure resulting from  
94 the act, whichever is greater.

95 (4) (a) A person commits the offense of trespass on  
96 critical infrastructure, a felony of the third degree,  
97 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
98 if he or she without being authorized, licensed, or invited,  
99 willfully enters upon or remains on:

100 1. A linear asset; or

101 2. Physical critical infrastructure as to which notice  
102 against entering or remaining in is given, either by actual  
103 communication to the offender or by posting, fencing, or  
104 cultivation as described in s. 810.011.

105 (5) (a) A person who willfully, knowingly, and without  
106 authorization gains access to a computer, computer system,  
107 computer network, or electronic device owned, operated, or used  
108 by any critical infrastructure entity while knowing that such  
109 access is unauthorized commits a felony of the third degree,  
110 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

111 (b) A person who willfully, knowingly, and without  
112 authorization physically tampers with, inserts a computer  
113 contaminant into, or otherwise transmits commands or electronic  
114 communications to, a computer, computer system, computer

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115 network, or electronic device that causes a disruption in any  
116 service delivered by any critical infrastructure commits a  
117 felony of the second degree, punishable as provided in s.  
118 775.082, s. 775.083, or s. 775.084.

119 (c) For purposes of this subsection, the terms "computer",  
120 "computer system", "computer network", and "electronic device"  
121 have the same meaning as in s. 815.03.

122 Section 2. This act shall take effect July 1, 2024.

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**T I T L E A M E N D M E N T**

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Remove lines 5-10 and insert:

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tampers" and "linear asset"; providing criminal penalties for

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improperly tampering with critical infrastructure resulting in

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specified monetary damage or cost to restore; providing for

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civil liability upon a conviction for such violations; providing

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criminal penalties for trespass upon critical infrastructure;

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providing notice