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A bill to be entitled
 An act relating to offenses involving critical
 infrastructure; creating s. 812.141, F.S.; defining
 the terms "critical infrastructure" and "improperly
 tampers"; providing criminal penalties for improperly
 tampering with critical infrastructure resulting in
 specified monetary damage; providing for civil
 liability upon a conviction for such violations;
 providing criminal penalties for trespass upon
 critical infrastructure; providing signage posting
 requirements; providing criminal penalties for the
 unauthorized access to or tampering with specified
 electronic devices or networks of critical
 infrastructure; providing an effective date.

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

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

812.141 Intentional damage to critical infrastructure.-

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

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

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

- 26 2. A chemical or rubber manufacturing or storage facility.
- 27 3. A mining facility.
- 28 4. A natural gas or compressed gas compressor station,
- 29 storage facility, or natural gas or compressed gas pipeline.
- 30 5. A gas processing plant, including a plant used in the
- 31 processing, treatment, or fractionation of natural gas.
- 32 6. A liquid natural gas or propane gas terminal or storage
- 33 facility with a capacity of 4,000 gallons or more.
- 34 7. Any portion of an aboveground oil or gas pipeline.
- 35 8. 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
- 40 services, emergency management agencies, or any other
- 41 governmental entity.
- 42 9. A water intake structure, water treatment facility,
- 43 wastewater treatment plant, pump station, or lift station.
- 44 10. A deepwater port, railroad switching yard, airport,
- 45 trucking terminal, or other freight transportation facility.
- 46 11. A facility used for the operation, landing, takeoff,
- 47 or surface maneuvering of vehicles, aircraft, or spacecraft.
- 48 12. A transmission facility used by a federally licensed
- 49 radio or television station.
- 50 13. A military base or military facility conducting

51 research and development of military weapons systems,
 52 subsystems, components, or parts.

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

56 15. 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 16. Dams and other water control structures.

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

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

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

70 3. The unauthorized access, introduction of malware, or
 71 any action that compromises the integrity or availability of the
 72 critical infrastructure's digital systems.

73 (2) A person who improperly tampers with critical
 74 infrastructure for which the owner or operator thereof has
 75 employed measures that are designed to exclude unauthorized

76 persons, which may include physical or digital measures such as
77 fences, barriers, or guard posts, or identity and access
78 management, firewalls, virtual private networks, encryption,
79 multi-factor authentication, passwords, or other cybersecurity
80 systems and controls, and such improper tampering results in
81 damage that is \$200 or greater to critical infrastructure,
82 commits a felony of the second degree, punishable as provided in
83 s. 775.082, s. 775.083, or s. 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 personal injury, wrongful
90 death, or property damage caused by the act or an amount equal
91 to three times any claim made against the owner or operator for
92 any personal injury, wrongful death, or property damage caused
93 by the malfunction of the critical infrastructure resulting from
94 the act, whichever is greater.

95 (4) (a) A person who, without being authorized, licensed,
96 or invited, willfully enters upon or remains on physical
97 critical infrastructure as to which notice against entering or
98 remaining in is given as provided in paragraph (b) commits the
99 offense of trespass on critical infrastructure.

100 (b)1. For physical critical infrastructure that is:

101 a. One acre or less in area, a sign must be posted that
102 appears prominently, in letters of not less than 2 inches in
103 height, and reads in substantially the following manner: "This
104 area is a designated critical infrastructure facility and anyone
105 who trespasses on this property commits a felony."

106 b. More than one acre in area, signs must be placed not
107 more than 500 feet apart along and at each corner of the
108 boundaries of the land or, for land owned by a water control
109 district that exists pursuant to chapter 298, or was created by
110 special act of the Legislature, signs must be placed at or near
111 the intersection of any district canal right-of-way and a road
112 right-of-way.

113 2. Signs must be placed along the boundary line of posted
114 land in a manner and in such position as to be clearly
115 noticeable from outside the boundary line. The signs, in letters
116 of not less than 2 inches in height, must read in substantially
117 the following manner: "This area is a designated critical
118 infrastructure facility and anyone who trespasses on this
119 property commits a felony."

120 (c) A person who trespasses on physical critical
121 infrastructure in violation of this subsection commits a felony
122 of the third degree, punishable as provided in s. 775.082, s.
123 775.083, or s. 775.084.

124 (5)(a) A person who willfully, knowingly, and without
125 authorization gains access to a computer, computer system,

126 computer network, or electronic device owned, operated, or used
127 by any critical infrastructure entity while knowing that such
128 access is unauthorized commits a felony of the third degree,
129 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

130 (b) A person who physically tampers with, inserts a
131 computer contaminant into, or otherwise transmits commands or
132 electronic communications to, a computer, computer system,
133 computer network, or electronic device that causes a disruption
134 in any service delivered by any critical infrastructure commits
135 a felony of the second degree, punishable as provided in s.
136 775.082, s. 775.083, or s. 775.084.

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