

Bill No.: SF0076 **Effective:** 3/15/2016
LSO No.: 16LSO-0354
Enrolled Act No.: SEA No. 0052
Chapter No.: 115
Prime Sponsor: Hicks
Catch Title: Civil trespass to collect data-amendments.
Subject: Civil trespass to unlawfully collect resource data, unlawfully collecting resource data and civil trespass to access adjacent or proximate land

Summary/Major Elements:

- Existing law provides for a civil cause of action for trespassing to unlawfully collect resource data. This bill provides that, to commit a civil trespass to unlawfully collect resource data, the land entered onto for the purpose of collecting resource data must be private land.
- Existing law provides for a civil cause of action for unlawfully collecting resource data. This bill provides that, to commit a civil trespass for unlawfully collecting resource data, the land entered onto and from which resource data is collected must be private land.
- The bill further creates a civil cause of action for trespass to access adjacent or proximate land. A person commits a civil trespass to access adjacent or proximate land if he:
 - Crosses private land to access adjacent or proximate land where he collects resource data; and
 - Does not have an ownership interest in the private land or authorization to cross the private land or does not have written or verbal permission to cross the private land.
- The bill provides for liability in a civil action for damages caused by a civil trespass to access adjacent or proximate land.
- The bill provides definitions for “collect,” “peace officer” and “resource data.”
- The bill repeals a duplicative provision in existing law regarding admissibility of resource data unlawfully collected.

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