

HOUSE BILL No. 5862

May 14, 1998, Introduced by Reps. Profit and Mans and referred to the Committee on Colleges and Universities.

A bill to amend 1905 PA 80, entitled

"An act to authorize and empower certain state departments, and the board of control, board of trustees or governing board of certain state institutions, or the governing body of a municipal corporation, to make, prescribe and enforce rules and regulations for the care, order and preservation of buildings or property dedicated and appropriated to the public use and the conduct of those coming upon the property thereof; to prescribe penalties for a violation thereof and to repeal all acts or parts of acts inconsistent with the provisions of this act,"

by amending section 2 (MCL 19.142), as amended by 1996 PA 231.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) A person shall not do any of the following with
2 respect to property that is dedicated or appropriated to public
3 use and is within the control or under the jurisdiction of a
4 board or department prescribed in section 1:

5 (a) Willfully cut, peel, or otherwise injure or destroy a
6 tree or shrub standing on the property.

1 (b) Carry, draw, leave, or deposit within or upon the
2 property any filth, rubbish, or garbage.

3 (c) Efface a mark or inscription on the property, or muti-
4 late or destroy a building, machine, or appliance, fence, or
5 hedge on the property.

6 (d) Enter, hunt, or trespass upon the property, or skate
7 upon, or fish, in a pond, brook, or stream, the use of which is
8 forbidden to the general public, and ~~relative to which~~ WHERE
9 there are signs or notices prohibiting this conduct.

10 (e) Conduct himself or herself in a disorderly manner upon
11 the premises or annoy, harass, assault, or disturb an inmate or
12 person cared for or under the control of the board or department
13 having jurisdiction.

14 (f) Unlock or open a gate, window, or door or enter a room,
15 hall, ward, or yard or other portion of an institution ~~in which~~
16 WHERE inmates or persons are detained under state control without
17 authority or permission.

18 (g) Create, cause, or attempt to create a disturbance or
19 openly and willfully refuse to conform to a rule or regulation
20 prescribed by a board or department.

21 (2) A person who performs an act prohibited by subsection
22 (1) is guilty of a misdemeanor punishable by imprisonment for not
23 less than 10 days or more than 60 days or a fine of not more than
24 \$50.00, or both.

25 (3) A trespass upon a state correctional facility is gov-
26 erned by section 552b of the Michigan penal code, ~~Act No. 328 of~~
27 ~~the Public Acts of 1931, being section 750.552b of the Michigan~~

1 ~~Compiled Laws~~ 1931 PA 328, MCL 750.552B. As used in this
2 subsection, "state correctional facility" means a facility or
3 institution that houses a prisoner population under the jurisdic-
4 tion of the department of corrections. State correctional facil-
5 ity does not include a community corrections center or a commu-
6 nity residential home.

7 (4) A TRESPASS BY AN ATHLETE AGENT UPON PROPERTY OF AN
8 INSTITUTION OF HIGHER EDUCATION IS GOVERNED BY SECTION 552C OF
9 THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.552C. AS USED IN
10 THIS SUBSECTION:

11 (A) "ATHLETE AGENT" MEANS THAT TERM AS DEFINED IN SECTION
12 411E OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.411E.

13 (B) "INSTITUTION OF HIGHER EDUCATION" MEANS THAT TERM AS
14 DEFINED IN SECTION 411E OF THE MICHIGAN PENAL CODE, 1931 PA 328,
15 MCL 750.411E.