

SENATE BILL No. 1229

August 15, 2012, Introduced by Senators EMMONS, HUNE, HILDENBRAND, BOOHER, HANSEN, CASPERSON, GREEN and KAHN and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 411x.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 411X. (1) A PERSON SHALL NOT OBTAIN OR ATTEMPT TO OBTAIN
2 ACCESS TO AN AGRICULTURAL PRODUCTION FACILITY, INCLUDING THROUGH
3 EMPLOYMENT, BY MAKING ANY FALSE STATEMENT OR REPRESENTATION WITH
4 THE INTENT TO DO ANY OF THE FOLLOWING:

5 (A) CAUSE ANY DAMAGE TO THAT AGRICULTURAL PRODUCTION FACILITY.

6 (B) REMOVE ANY PROPERTY, INCLUDING AN ANIMAL, FROM THAT
7 AGRICULTURAL PRODUCTION FACILITY.

8 (C) DISRUPT THE OPERATIONS OF THAT AGRICULTURAL PRODUCTION
9 FACILITY.

10 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CRIME AS
11 FOLLOWS:

1 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), THE PERSON IS
2 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
3 THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

4 (B) IF THE VIOLATION RESULTS IN ANY LOSS, DAMAGE, OR
5 DISRUPTION, THE PERSON IS GUILTY OF A MISDEMEANOR PUNISHABLE FOR
6 NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

7 (3) THIS SECTION DOES NOT PROHIBIT THE PERSON FROM BEING
8 CHARGED WITH, CONVICTED OF, AND SENTENCED FOR ANY OTHER VIOLATION
9 OF LAW COMMITTED BY THE PERSON ARISING OUT OF THE VIOLATION OF THIS
10 SECTION.

11 (4) AS USED IN THIS SECTION:

12 (A) "AGRICULTURAL COMMODITY" MEANS THAT TERM AS DEFINED IN
13 SECTION 2 OF THE AGRICULTURAL COMMODITIES MARKETING ACT, 1965 PA
14 232, MCL 290.652.

15 (B) "AGRICULTURAL PRODUCTION FACILITY" MEANS A FACILITY THAT
16 GROWS, MANUFACTURES, PRODUCES, OR PROCESSES AN AGRICULTURAL
17 COMMODITY.