

SENATE BILL No. 321

April 17, 2013, Introduced by Senators JONES, NOFS and MARLEAU and referred to the Committee on
Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 552 (MCL 750.552), as amended by 2007 PA 167.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 552. (1) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**
2 **(2), A** person shall not do any of the following:

3 (a) Enter the lands or premises of another without lawful
4 authority after having been forbidden ~~se~~ to do **SO** by the owner or
5 occupant or the agent of the owner or occupant.

6 (b) Remain without lawful authority on the land or premises of
7 another after being notified to depart by the owner or occupant or
8 the agent of the owner or occupant.

9 (c) Enter or remain without lawful authority on fenced or
10 posted farm property of another person without the consent of the
11 owner or his or her lessee or agent. A request to leave the

1 premises is not a necessary element for a violation of this
2 subdivision. This subdivision does not apply to a person who is in
3 the process of attempting, by the most direct route, to contact the
4 owner or his or her lessee or agent to request consent.

5 (2) SUBSECTION (1) DOES NOT APPLY TO A PROCESS SERVER WHO IS
6 ON THE LAND OR PREMISES OF ANOTHER WHILE IN THE PROCESS OF
7 ATTEMPTING, BY THE MOST DIRECT ROUTE, TO SERVE PROCESS UPON ANY OF
8 THE FOLLOWING:

9 (A) AN OWNER OR OCCUPANT OF THE LAND OR PREMISES.

10 (B) AN AGENT OF THE OWNER OR OCCUPANT OF THE LAND OR PREMISES.

11 (C) A LESSEE OF THE LAND OR PREMISES.

12 (3) ~~(2)~~—A person who violates subsection (1) is guilty of a
13 misdemeanor punishable by imprisonment in the county jail for not
14 more than 30 days or by a fine of not more than \$250.00, or both.

15 (4) AS USED IN THIS SECTION, "PROCESS SERVER" MEANS A PERSON
16 AUTHORIZED UNDER THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,
17 MCL 600.101 TO 600.9947, OR SUPREME COURT RULE TO SERVE PROCESS.