

# 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 ~~so~~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.