

# HOUSE BILL NO. 4470

May 07, 2025, Introduced by Reps. Prestin, Markkanen, Cavitt, Bohnak, Rigas, Steele, St. Germaine, Steckloff, Beson, Roth, Borton, Brixie, Farhat, Fairbairn, Liberati, VanderWall and DeBoyer and referred to Committee on Transportation and Infrastructure.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 552c (MCL 750.552c), as added by 2005 PA 305.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 552c. (1) ~~A person~~**An individual** shall not intentionally  
2       and without authority or permission enter or remain in or upon  
3       premises or a structure belonging to another person that is a key  
4       facility. ~~if the key facility is completely enclosed by a physical~~  
5       ~~barrier of any kind, including, but not limited to, a significant~~  
6       ~~water barrier that prevents pedestrian access, and is posted with~~  
7       ~~signage as prescribed under subsection (2).~~

1       (2) As used in this ~~subsection,~~**section**, "key facility" means  
2 ~~1 or more~~**any** of the following, **if enclosed by a physical barrier**  
3 **of any kind, including, but not limited to, a significant water**  
4 **barrier that prevents pedestrian access, and if posted with signage**  
5 **as required by subsection (3):**

6       (a) A chemical manufacturing facility.

7       (b) A refinery.

8       (c) An electric utility facility, including, but not limited  
9 to, a power plant, a power generation facility peaker, an electric  
10 transmission facility, an electric station or substation, or any  
11 other facility used to support the generation, transmission, or  
12 distribution of electricity. Electric utility facility does not  
13 include electric transmission land or right-of-way that is not  
14 completely enclosed, posted, and maintained by the electric  
15 utility.

16       (d) A water intake structure or water treatment facility.

17       (e) A natural gas utility facility, including, but not limited  
18 to, an age station, compressor station, odorization facility, main  
19 line valve, natural gas storage facility, or any other facility  
20 used to support the acquisition, transmission, distribution, or  
21 storage of natural gas. Natural gas utility facility does not  
22 include gas transmission pipeline property that is not completely  
23 enclosed, posted, and maintained by the natural gas utility.

24       (f) Gasoline, propane, liquid natural gas (LNG), or other fuel  
25 terminal or storage facility.

26       (g) A transportation facility, including, but not limited to,  
27 a port, railroad switching yard, or trucking terminal.

28       (h) A pulp or paper manufacturing facility.

29       (i) A pharmaceutical manufacturing facility.

1 (j) A hazardous waste storage, treatment, or disposal  
2 facility.

3 (k) A telecommunication facility, including, but not limited  
4 to, a central office or cellular telephone tower site.

5 (l) A facility substantially similar to a facility, structure,  
6 or station listed in subdivisions (a) to (k) or a resource required  
7 to submit a risk management plan under 42 USC 7412(r).

8 **(m) The portions of the Mackinac Bridge not open to or**  
9 **intended to be used by the public.**

10 **(3) ~~(2)~~**A key facility ~~shall~~**must** be posted in a conspicuous  
11 manner against entry. The minimum letter height on the posting  
12 signs ~~shall~~**must** be 1 inch. Each posting sign ~~shall~~**must** be not  
13 less than 50 square inches, and the **posting** signs ~~shall~~**must** be  
14 spaced to enable ~~a person~~**an individual** to observe not less than 1  
15 **posting** sign at any point of entry upon the property.

16 **(4) ~~(3)~~**~~A person~~**An individual** who violates this section is  
17 guilty of a felony punishable by imprisonment for not more than 4  
18 years or a fine of not more than \$2,500.00, or both.

19 **(5) ~~(4)~~**This section does not prohibit and ~~shall~~**must** be not  
20 construed to prevent lawful assembly or a peaceful and orderly  
21 petition for the redress of grievances, including, but not limited  
22 to, a labor dispute between an employer and its employees.

23 **(6) It is not a defense to a prosecution under this section**  
24 **that, during normal operating hours, the barrier that encloses a**  
25 **key facility is left open for official business at the key**  
26 **facility.**