

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER LXXXV

TRESPASS

750.546 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to willful trespass by destroying property.

750.547 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to willful trespass by entering improved property of another.

750.548 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to trespass upon cranberry marshes.

750.549 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to trespass upon huckleberry and blackberry marshes.

750.550 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to trespass upon vineyards, orchards, or gardens.

750.551 Repealed. 2015, Act 211, Eff. Mar. 14, 2016.

Compiler's note: The repealed section pertained to trespass causing injury to medicinal plants.

750.552 Trespass upon lands or premises of another; exception; violation; penalty; "process server" defined.

Sec. 552. (1) Except as otherwise provided in subsection (2), a person shall not do any of the following:

(a) Enter the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant or the agent of the owner or occupant.

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

(c) Enter or remain without lawful authority on fenced or posted farm property of another person without the consent of the owner or his or her lessee or agent. A request to leave the premises is not a necessary element for a violation of this subdivision. This subdivision does not apply to a person who is in the process of attempting, by the most direct route, to contact the owner or his or her lessee or agent to request consent.

(2) Subsection (1) does not apply to a process server who is on the land or premises of another while in the process of attempting, by the most direct route, to serve process upon any of the following:

(a) An owner or occupant of the land or premises.

(b) An agent of the owner or occupant of the land or premises.

(c) A lessee of the land or premises.

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

(4) As used in this section, "process server" means a person authorized under the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9947, or supreme court rule to serve process.

History: Add. 1951, Act 102, Imd. Eff. May 31, 1951;—Am. 2007, Act 167, Eff. Mar. 20, 2008;—Am. 2013, Act 230, Imd. Eff. Dec. 26, 2013.

750.552a Filth, garbage or refuse; unlawful to dump, deposit or place on property of another.

Sec. 552a. Any person who shall dump, deposit or place any filth, garbage or refuse on the grounds or premises of another, without the specific permission of the owner thereof, shall be guilty of a misdemeanor.

History: Add. 1954, Act 27, Imd. Eff. Mar. 31, 1954.

750.552b Trespass upon property of state correctional facility; violation as felony; penalty; "state correctional facility" defined.

Sec. 552b. (1) A person who willfully trespasses by entering or remaining upon the property of a state correctional facility without authority or permission to enter or remain is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(2) As used in this section, "state correctional facility" means a facility or institution that houses a prisoner population under the jurisdiction of the department of corrections. State correctional facility does not include a community corrections center or a community residential home.

History: Add. 1996, Act 232, Eff. Jan. 1, 1997.

750.552c Entering or remaining in key facility; prohibition; "key facility" defined; posting signs; violation as felony; penalty; scope of section.

Sec. 552c. (1) A person shall not intentionally and without authority or permission enter or remain in or upon premises or a structure belonging to another person that is a key facility if the key facility is completely enclosed by a physical barrier of any kind, including, but not limited to, a significant water barrier that prevents pedestrian access, and is posted with signage as prescribed under subsection (2). As used in this subsection, "key facility" means 1 or more of the following:

(a) A chemical manufacturing facility.

(b) A refinery.

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

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

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

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

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

(h) A pulp or paper manufacturing facility.

(i) A pharmaceutical manufacturing facility.

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

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

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

(2) A key facility shall be posted in a conspicuous manner against entry. The minimum letter height on the posting signs shall be 1 inch. Each posting sign shall be not less than 50 square inches, and the signs shall be spaced to enable a person to observe not less than 1 sign at any point of entry upon the property.

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

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

History: Add. 2005, Act 305, Eff. Apr. 15, 2006.