

Legislative Analysis



"NO TRESPASSING" PURPLE PAINT MARKS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 499

Sponsor: Sen. Michelle A. McManus

House Committee: Conservation, Forestry, and Outdoor Recreation

Senate Committee: Natural Resources and Environmental Affairs

Complete to 6-7-06

A SUMMARY OF SENATE BILL 499 AS PASSED BY THE SENATE 5-24-06

The bill would amend Part 731 (concerning Recreational Trespass) of the Natural Resources and Environmental Protection Act to prohibit a person from engaging in recreational activity or trapping on another person's property, if the property is posted against entry with purple paint marks.

Under the bill, if identifying purple paint marks is placed on trees or posts around the property, using paint approved for that purpose by the Department of Natural Resources (DNR), the property would be considered posted in a conspicuous manner against entry. Each paint mark would have to be a vertical line at least eight inches long, and the bottom of the mark would have to be between three and five feet above the ground. The paint marks could not be more than 100 feet apart and would have to be placed so that they were readily visible to people approaching the property.

The bill would prohibit a person from placing the purple paint marks on another person's property to prohibit hunting, fishing, trapping, or other recreational activities without the written permission of the owner or a lessee or agent.

(A violation of Part 731 is a misdemeanor punishable by up to 90 days' imprisonment and/or a fine of not less than \$100 or more than \$500. If a person is convicted of a second or subsequent violation within three years of a previous violation, the maximum fine is \$1,000 and the court may order that the person's hunting, fishing, or trapping license be revoked and that the person not seek or possess a license for three years. Also, the court must order a person convicted of violating Part 731 to make restitution for any damage.)

MCL 324.73102 & 324.73105

FISCAL IMPACT:

There would be no fiscal impact on the state or on local governmental units.

Legislative Analyst: J. Hunault

Fiscal Analyst: Kirk Lindquist

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.