

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

***** 750.552c.added THIS ADDED SECTION IS EFFECTIVE APRIL 15, 2006 *****

750.552c.added 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.