

SUBSTITUTE FOR
SENATE BILL NO. 686

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 552c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 552C. (1) A PERSON SHALL NOT INTENTIONALLY AND WITHOUT
2 AUTHORITY OR PERMISSION ENTER OR REMAIN IN OR UPON PREMISES OR A
3 STRUCTURE BELONGING TO ANOTHER PERSON THAT IS A KEY FACILITY IF THE
4 KEY FACILITY IS COMPLETELY ENCLOSED BY A PHYSICAL BARRIER OF ANY
5 KIND, INCLUDING, BUT NOT LIMITED TO, A SIGNIFICANT WATER BARRIER
6 THAT PREVENTS PEDESTRIAN ACCESS, AND IS POSTED WITH SIGNAGE AS
7 PRESCRIBED UNDER SUBSECTION (2). AS USED IN THIS SUBSECTION, "KEY
8 FACILITY" MEANS 1 OR MORE OF THE FOLLOWING:
9 (A) A CHEMICAL MANUFACTURING FACILITY.

1 (B) A REFINERY.

2 (C) AN ELECTRICAL POWER GENERATION OR ELECTRICAL TRANSMISSION
3 OR DISTRIBUTION FACILITY.

4 (D) A WATER INTAKE STRUCTURE OR WATER TREATMENT FACILITY.

5 (E) A PIPELINE TRANSMISSION COMPRESSOR STATION.

6 (F) GASOLINE, PROPANE, LIQUID NATURAL GAS (LNG), OR OTHER FUEL
7 TERMINAL OR STORAGE FACILITY.

8 (G) A TRANSPORTATION FACILITY, INCLUDING, BUT NOT LIMITED TO,
9 A PORT, RAILROAD SWITCHING YARD, OR TRUCKING TERMINAL.

10 (H) A PULP OR PAPER MANUFACTURING FACILITY.

11 (I) A PHARMACEUTICAL MANUFACTURING FACILITY.

12 (J) A HAZARDOUS WASTE STORAGE, TREATMENT, OR DISPOSAL
13 FACILITY.

14 (K) A TELECOMMUNICATION FACILITY, INCLUDING, BUT NOT LIMITED
15 TO, A CENTRAL OFFICE OR CELLULAR TELEPHONE TOWER SITE.

16 (L) A FACILITY SUBSTANTIALLY SIMILAR TO A FACILITY, STRUCTURE,
17 OR STATION LISTED IN SUBDIVISIONS (A) TO (K) OR A RESOURCE REQUIRED
18 TO SUBMIT A RISK MANAGEMENT PLAN UNDER 42 USC 7412(R).

19 (2) A KEY FACILITY SHALL BE POSTED IN A CONSPICUOUS MANNER
20 AGAINST ENTRY. THE MINIMUM LETTER HEIGHT ON THE POSTING SIGNS SHALL
21 BE 1 INCH. EACH POSTING SIGN SHALL BE NOT LESS THAN 50 SQUARE
22 INCHES, AND THE SIGNS SHALL BE SPACED TO ENABLE A PERSON TO OBSERVE
23 NOT LESS THAN 1 SIGN AT ANY POINT OF ENTRY UPON THE PROPERTY.

24 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
25 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
26 NOT MORE THAN \$2,500.00, OR BOTH.

27 (4) THIS SECTION DOES NOT PROHIBIT AND SHALL BE NOT CONSTRUED

1 TO PREVENT LAWFUL ASSEMBLY OR A PEACEFUL AND ORDERLY PETITION FOR
2 THE REDRESS OF GRIEVANCES, INCLUDING, BUT NOT LIMITED TO, A LABOR
3 DISPUTE BETWEEN AN EMPLOYER AND ITS EMPLOYEES.