

# SENATE BILL No. 686

June 30, 2005, Introduced by Senators BIRKHOLZ, TOY, KUIPERS, ALLEN and GEORGE and referred to the Committee on Judiciary.

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 OR WITHOUT  
2        AUTHORITY OR PERMISSION ENTER OR REMAIN IN OR UPON PREMISES OR A  
3        STRUCTURE BELONGING TO ANOTHER THAT IS A CRITICAL INFRASTRUCTURE IF  
4        THE CRITICAL INFRASTRUCTURE IS COMPLETELY ENCLOSED BY A PHYSICAL  
5        BARRIER OF ANY KIND. AS USED IN THIS SUBSECTION, "CRITICAL  
6        INFRASTRUCTURE" MEANS 1 OR MORE OF THE FOLLOWING:

7            (A) A CHEMICAL MANUFACTURING FACILITY.

8            (B) A REFINERY.

9            (C) AN ELECTRICAL POWER GENERATION OR ELECTRICAL DISTRIBUTION

1 FACILITY.

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

3 (E) A NATURAL GAS TRANSMISSION COMPRESSOR STATION.

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

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

8 (H) A PULP OR PAPER MANUFACTURING FACILITY.

9 (I) A PHARMACEUTICAL MANUFACTURING FACILITY.

10 (J) A HAZARDOUS WASTE STORAGE, TREATMENT, OR DISPOSAL  
11 FACILITY.

12 (K) A FACILITY SUBSTANTIALLY SIMILAR TO A FACILITY, STRUCTURE,  
13 OR STATION LISTED IN SUBDIVISIONS (A) TO (J) OR A RESOURCE REQUIRED  
14 TO SUBMIT A RISK MANAGEMENT PLAN UNDER 42 USC 7412(R).

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

18 (3) THIS SECTION DOES NOT PROHIBIT AND SHALL BE NOT CONSTRUED  
19 TO PREVENT LAWFUL ASSEMBLY OR A PEACEFUL AND ORDERLY PETITION FOR  
20 THE REDRESS OF GRIEVANCES, INCLUDING, BUT NOT LIMITED TO, A LABOR  
21 DISPUTE BETWEEN AN EMPLOYER AND ITS EMPLOYEES.