

HOUSE BILL No. 5777

February 2, 2010, Introduced by Reps. Lahti, McDowell, Neumann and Lindberg and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to regulate the use of ropes, chains, wires, or similar devices in blocking access to certain land; and to provide for penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Farm" and "farm product" mean those terms as defined in
3 section 2 of the Michigan right to farm act, 1981 PA 93, MCL
4 286.472.

5 (b) "Farm property" means land on a farm used in the
6 production of 1 or more farm products and any contiguous land under
7 common ownership.

8 (c) "Hunter orange" means the color described in section 40116
9 of the natural resources and environmental protection act, 1994 PA
10 451, MCL 324.40116.

1 (d) "Person" means an individual, partnership, corporation,
2 association, governmental entity, or other legal entity.

3 (e) "Point of entry" means a road or path suitable for use by
4 a motorized vehicle, including a motorcycle, all terrain vehicle,
5 or snowmobile.

6 Sec. 2. Except as provided in section 3, a person shall not
7 use a rope, chain, wire, or similar device as a barrier across a
8 point of entry to prevent access to land unless both of the
9 following conditions are met:

10 (a) The rope, chain, wire, or similar device is enclosed in
11 material that is the color hunter orange.

12 (b) The rope, chain, wire, or similar device is not more than
13 30 inches above the ground at any point.

14 Sec. 3. Section 2 does not apply to a fence, gate, or other
15 barrier that serves as a partition within a farm, or separates farm
16 property from any other land.

17 Sec. 4. A person who violates this act is responsible for a
18 state civil infraction and may be ordered to pay a civil fine of
19 not more than \$250.00.