

BILL ANALYSIS

Senate Research Center

H.B. 793
By: Merritt (Harris)
Jurisprudence
6-12-97
Engrossed

DIGEST

The basis for H.B. 793 stems from legislation enacted in the state of Missouri (RSMO 569.145) entitled the Purple Paint Statute. This statute allows landowners to mark trees or posts with purple paint as a warning to would-be trespassers. Just like a "No Trespassing" sign or actual communication to individuals that no trespassing is allowed, the purple paint marks are considered to be adequate notice to the public that no trespassing is allowed on the property. This bill set forth provisions regarding a notice that entry on property is forbidden for the purpose of prosecuting the offense of trespass.

PURPOSE

As proposed, H.B. 793 set forth provisions regarding a notice that entry on property is forbidden for the purpose of prosecuting the offense of trespass.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30.05(b), Penal Code, by amending Subdivision (2) and adding Subdivision (4), to redefine "notice" to mean the placement of identifying purple paint marks on trees or posts on certain property, provided that the marks are displayed in a certain fashion. Defines "forest land" to mean land on which the trees are potentially valuable for timber products.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.