

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1135</b>
<b>Version:</b>	<b>SAHB</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Fetgatter</b>
<b>Date:</b>	<b>5/3/2021</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The Senate amendment to HB 1135 removes the requirement that a property be posted in order for a trespass to occur. The measure removes the definition of “posted” as used in the trespassing statutes. The measure exempts any peace officer, government employee engaged in the performance of their duties, firefighters, emergency medical personnel, or public utility employees engaged in addressing an emergency, and parties engaged in oil and gas operations from the trespass provisions. The measure also permits railroad employees and emergency equipment from entering such land to restore rail service, the entrance of utility employees or contractors while acting in the scope of their employment, and employees or contractors of valid easement or license holders while acting in the scope of their employment to enter the land. The measure allows registered land surveyors, professional engineers, persons selling a product or conducting a poll, persons working for a candidate for political office, or other person having a legitimate reason for entering to conduct business. The measure provides that a person convicted of entering another’s land to commit waste, theft, or damage shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a term of not less than 30 days and not more than 6 months, a fine of not less than \$50.00 and not more than \$500.00 or both fine and imprisonment.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.