

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.115 Breaking and entering or entering without breaking; buildings, tents, boats, railroad cars; entering public buildings when expressly denied.

Sec. 115. (1) Any person who breaks and enters or enters without breaking, any dwelling, house, tent, hotel, office, store, shop, warehouse, barn, granary, factory or other building, boat, ship, railroad car or structure used or kept for public or private use, or any private apartment therein, or any cottage, clubhouse, boat house, hunting or fishing lodge, garage or the out-buildings belonging thereto, any ice shanty with a value of \$100.00 or more, or any other structure, whether occupied or unoccupied, without first obtaining permission to enter from the owner or occupant, agent, or person having immediate control thereof, is guilty of a misdemeanor.

(2) Subsection (1) does not apply to entering without breaking, any place which at the time of the entry was open to the public, unless the entry was expressly denied. Subsection (1) does not apply if the breaking and entering or entering without breaking was committed by a peace officer or an individual under the peace officer's direction in the lawful performance of his or her duties as a peace officer.

History: 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1947, Act 74, Eff. Oct. 11, 1947;—CL 1948, 750.115;—Am. 2000, Act 148, Imd. Eff. June 7, 2000.

Former law: See sections 1 and 2 of Act 181 of 1929, being CL 1929, §§ 16957 and 16958.