

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 686

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 AND WITHOUT
2 AUTHORITY OR PERMISSION ENTER OR REMAIN IN OR UPON PREMISES OR A
3 STRUCTURE BELONGING TO ANOTHER PERSON THAT IS A KEY FACILITY IF THE
4 KEY FACILITY IS COMPLETELY ENCLOSED BY A PHYSICAL BARRIER OF ANY
5 KIND, INCLUDING, BUT NOT LIMITED TO, A SIGNIFICANT WATER BARRIER
6 THAT PREVENTS PEDESTRIAN ACCESS, AND IS POSTED WITH SIGNAGE AS
7 PRESCRIBED UNDER SUBSECTION (2). AS USED IN THIS SUBSECTION, "KEY
8 FACILITY" MEANS 1 OR MORE OF THE FOLLOWING:

9 (A) A CHEMICAL MANUFACTURING FACILITY.

10 (B) A REFINERY.

1 (C) AN ELECTRIC UTILITY FACILITY, INCLUDING, BUT NOT LIMITED
2 TO, A POWER PLANT, A POWER GENERATION FACILITY PEAKER, AN ELECTRIC
3 TRANSMISSION FACILITY, AN ELECTRIC STATION OR SUBSTATION, OR ANY
4 OTHER FACILITY USED TO SUPPORT THE GENERATION, TRANSMISSION, OR
5 DISTRIBUTION OF ELECTRICITY. ELECTRIC UTILITY FACILITY DOES NOT
6 INCLUDE ELECTRIC TRANSMISSION LAND OR RIGHT-OF-WAY THAT IS NOT
7 COMPLETELY ENCLOSED, POSTED, AND MAINTAINED BY THE ELECTRIC
8 UTILITY.

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

10 (E) A NATURAL GAS UTILITY FACILITY, INCLUDING, BUT NOT LIMITED
11 TO, AN AGE STATION, COMPRESSOR STATION, ORDERIZATION FACILITY, MAIN
12 LINE VALVE, NATURAL GAS STORAGE FACILITY, OR ANY OTHER FACILITY
13 USED TO SUPPORT THE ACQUISITION, TRANSMISSION, DISTRIBUTION, OR
14 STORAGE OF NATURAL GAS. NATURAL GAS UTILITY FACILITY DOES NOT
15 INCLUDE GAS TRANSMISSION PIPELINE PROPERTY THAT IS NOT COMPLETELY
16 ENCLOSED, POSTED, AND MAINTAINED BY THE NATURAL GAS UTILITY.

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

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

21 (H) A PULP OR PAPER MANUFACTURING FACILITY.

22 (I) A PHARMACEUTICAL MANUFACTURING FACILITY.

23 (J) A HAZARDOUS WASTE STORAGE, TREATMENT, OR DISPOSAL
24 FACILITY.

25 (K) A TELECOMMUNICATION FACILITY, INCLUDING, BUT NOT LIMITED
26 TO, A CENTRAL OFFICE OR CELLULAR TELEPHONE TOWER SITE.

27 (L) A FACILITY SUBSTANTIALLY SIMILAR TO A FACILITY, STRUCTURE,

1 OR STATION LISTED IN SUBDIVISIONS (A) TO (K) OR A RESOURCE REQUIRED
2 TO SUBMIT A RISK MANAGEMENT PLAN UNDER 42 USC 7412(R).

3 (2) A KEY FACILITY SHALL BE POSTED IN A CONSPICUOUS MANNER
4 AGAINST ENTRY. THE MINIMUM LETTER HEIGHT ON THE POSTING SIGNS SHALL
5 BE 1 INCH. EACH POSTING SIGN SHALL BE NOT LESS THAN 50 SQUARE
6 INCHES, AND THE SIGNS SHALL BE SPACED TO ENABLE A PERSON TO OBSERVE
7 NOT LESS THAN 1 SIGN AT ANY POINT OF ENTRY UPON THE PROPERTY.

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

11 (4) THIS SECTION DOES NOT PROHIBIT AND SHALL BE NOT CONSTRUED
12 TO PREVENT LAWFUL ASSEMBLY OR A PEACEFUL AND ORDERLY PETITION FOR
13 THE REDRESS OF GRIEVANCES, INCLUDING, BUT NOT LIMITED TO, A LABOR
14 DISPUTE BETWEEN AN EMPLOYER AND ITS EMPLOYEES.

15 Enacting section 1. This amendatory act takes effect April 15,
16 2006.