

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1101

By: Representatives McKissack, McCuiston,

Hinshaw and Jordan

For An Act To Be Entitled

"AN ACT TO MAKE IT UNLAWFUL TO KNOWINGLY ENTER UPON THE LANDS OF ANOTHER WITHOUT PERMISSION OF THE OWNER OR LESSEE OF SUCH LANDS; TO PRESCRIBE PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Any person who knowingly enters the lands of another without the permission of or without being accompanied by the landowner or the lessee of the land, or the agent of such landowner or lessee, shall be guilty of a misdemeanor and, upon conviction, shall be punished for the first offense by a fine of not less than one hundred fifty dollars (\$150.00) nor more than two hundred fifty dollars (\$250.00). Upon conviction of any person for a second or subsequent offense, the offenses being committed within five (5) years of the last offense, such person shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00), and may be imprisoned in the county jail for a period of not less than ten (10) nor more than thirty (30) days, or by both such fine and imprisonment.

This section shall not apply to the landowner's or lessee's family, guests, or agents, or to persons entering upon such lands for lawful business purposes.

SECTION 2. (a) It shall be the duty of sheriffs, deputy sheriffs, constables and wildlife officers to enforce this section.

(b) Such officers shall enforce this section by issuing a citation to those charged with trespassing under this section.

SECTION 3. A prosecution under the provisions of this act shall be

dismissed upon the request of the landowner, lessee of the land or agent of such landowner or lessee, as the case may be.

SECTION 4. The provisions of this act are supplemental to the provisions of any other law of this state relating to trespass.

SECTION 5. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.