

2018 Regular Session

SENATE BILL NO. 18

BY SENATOR CORTEZ

CRIME/PUNISHMENT. Provides relative to the use of purple paint in lieu of "no trespassing" signs. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 14:63.3(A) and 63.4(A), and to enact R.S. 14:63(J), relative to
3 criminal trespass; to provide for the use of purple paint in lieu of signs to indicate
4 that unauthorized entrance on property is prohibited; to provide definitions; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:63.3(A) and 63.4(A) are hereby amended and reenacted, and R.S.
8 14:63(J) is hereby enacted, to read as follows:

9 §63. Criminal trespass

10 * * *

11 **J. Although not required by this Section, notice that entrance upon any**
12 **structure, watercraft, movable, or immovable property owned by another is**
13 **prohibited may be indicated by either of the following:**

14 **(1) A sign or signs posted on or in the property at a place or places where**
15 **such sign or signs may be reasonably expected to be seen.**

16 **(2) The placement of identifying purple paint marks on the trees or posts**
17 **on the property, provided that such marks are:**

1 **(a) Vertical lines of not less than eight inches in length and not less than**
2 **one inch in width.**

3 **(b) Placed so that the bottom of the mark is not less than three feet from**
4 **the ground nor more than five feet from the ground.**

5 **(c) Placed at locations that are readily visible to any person approaching**
6 **the property and no more than one hundred feet apart on forest land, as defined**
7 **in R.S. 3:3622, or one thousand feet apart on land other than forest land.**

8 * * *

9 §63.3. Entry on or remaining in places or on land after being forbidden

10 A. **(1)** No person shall without authority go into or upon or remain in or upon
11 or attempt to go into or upon or remain in or upon any structure, watercraft, or any
12 other movable, or immovable property, which belongs to another, including public
13 buildings and structures, ferries, and bridges, or any part, portion, or area thereof,
14 after having been forbidden to do so, either orally or in writing, including by means
15 of any sign hereinafter described, by any owner, lessee, or custodian of the property
16 or by any other authorized person.

17 **(2)** For the purposes of ~~this Section the above mentioned~~, **Paragraph (1) of**
18 **this Subsection, "sign" means a either:**

19 **(a)** A sign or signs posted on or in the structure, watercraft, or any other
20 movable, or immovable property, including public buildings and structures, ferries
21 and bridges, or part, portion or area thereof, at a place or places where such sign or
22 signs may be reasonably expected to be seen.

23 **(b) The placement of identifying purple paint marks on the trees or posts**
24 **on the property, provided that such marks are:**

25 **(i) Vertical lines of not less than eight inches in length and not less than**
26 **one inch in width.**

27 **(ii) Placed so that the bottom of the mark is not less than three feet from**
28 **the ground nor more than five feet from the ground.**

29 **(iii) Placed at locations that are readily visible to any person approaching**

1 the property and no more than one hundred feet apart on forest land, as defined
2 in R.S. 3:3622, or one thousand feet apart on land other than forest land.

3 * * *

4 §63.4. Aiding and abetting others to enter or remain on premises where forbidden

5 A.(1) No person shall incite, solicit, urge, encourage, exhort, instigate, or
6 procure any other person to go into or upon or to remain in or upon any structure,
7 watercraft, or any other movable, which belongs to another, including public
8 buildings and structures, ferries, and bridges, or any part, portion, or area thereof,
9 knowing that such other person has been forbidden to go or remain there, either
10 orally or in writing, including by means of any sign hereinafter described, by the
11 owner, lessee, or custodian of the property or by any other authorized person.

12 (2) For the purposes of ~~this Section~~ the Paragraph (1) of this
13 Subsection, "sign" ~~described in Paragraph (1) of this Subsection,~~ means a either:

14 (a) A sign or signs posted on or in the structure, watercraft or any other
15 movable, including public buildings and structures, ferries and bridges, or part,
16 portion or area thereof, at a place or places where such sign or signs may be
17 reasonably expected to be seen.

18 (b) The placement of identifying purple paint marks on the trees or posts
19 on the property, provided that such marks are:

20 (i) Vertical lines of not less than eight inches in length and not less than
21 one inch in width.

22 (ii) Placed so that the bottom of the mark is not less than three feet from
23 the ground nor more than five feet from the ground.

24 (iii) Placed at locations that are readily visible to any person approaching
25 the property and no more than one hundred feet apart on forest land, as defined
26 in R.S. 3:3622, or one thousand feet apart on land other than forest land.

27 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

SB 18 Engrossed

2018 Regular Session

Cortez

Present law provides that no person can enter any structure, watercraft, or movable, or any immovable property, owned by another without express, legal, or implied authorization.

Proposed law retains present law and adds that, although it is not required by present law or proposed law, notice that entrance upon any structure, watercraft, movable, or immovable property owned by another is prohibited may be indicated by either of the following:

- (1) A sign or signs posted on or in the property at a place or places where such sign or signs may be reasonably expected to be seen.
- (2) The placement of identifying purple paint marks on the trees or posts on the property, provided that such marks are:
 - (a) Vertical lines of not less than eight inches in length and not less than one inch in width.
 - (b) Placed so that the bottom of the mark is not less than three feet from the ground nor more than five feet from the ground.
 - (c) Placed at locations that are readily visible to any person approaching the property and no more than 100 feet apart on forest land, as defined in present law, or 1,000 feet apart on land other than forest land.

Present law provides that no person can, without authority, go into or upon or remain in or upon or attempt to go into or upon or remain in or upon any structure, watercraft, or any other movable, or immovable property, that belongs to another after having been forbidden to do so, either orally or in writing, including by means of any sign, by any owner, lessee, or custodian of the property or by any other authorized person. For the purposes of present law, "sign" means a sign or signs posted on or in the movable or immovable property, where such sign or signs may be reasonably expected to be seen.

Proposed law retains present law and further defines "sign" to mean the placement of identifying purple paint marks on the trees or posts on the property, provided that such marks are:

- (1) Vertical lines of not less than eight inches in length and not less than one inch in width.
- (2) Placed so that the bottom of the mark is not less than three feet from the ground nor more than five feet from the ground.
- (3) Placed at locations that are readily visible to any person approaching the property and no more than 100 feet apart on forest land, as defined in present law, or 1,000 feet apart on land other than forest land.

Present law provides that no person can incite, solicit, urge, encourage, exhort, instigate, or procure any other person to go into or upon or to remain in or upon any structure, watercraft, or any other movable, that belongs to another, knowing that such other person has been forbidden to go or remain there, either orally or in writing, including by means of any sign, by the owner, lessee, or custodian of the property or by any other authorized person. For the purposes of present law, "sign" means a sign or signs posted on or in the structure,

watercraft, or any other movable, where such sign or signs may be reasonably expected to be seen.

Proposed law retains present law and further defines "sign" to mean the placement of identifying purple paint marks on the trees or posts on the property, provided that such marks are:

- (1) Vertical lines of not less than eight inches in length and not less than one inch in width.
- (2) Placed so that the bottom of the mark is not less than three feet from the ground nor more than five feet from the ground.
- (3) Placed at locations that are readily visible to any person approaching the property and no more than 100 feet apart on forest land, as defined in present law, or 1,000 feet apart on land other than forest land.

Effective August 1, 2018.

(Amends R.S. 14:63.3(A) and 63.4(A); adds R.S. 14:63(J))