

By: Representative Shows

To: Forestry; Judiciary B

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1039

1 AN ACT TO CREATE SECTION 49-19-408, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE LIMITED IMMUNITY FROM CRIMINAL TRESPASS FOR PERSON  
3 CONDUCTING FOREST INVENTORY ON PROPERTY FOR THE MISSISSIPPI  
4 INSTITUTE FOR FOREST INVENTORY; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** The following shall be codified as Section  
7 49-19-408, Mississippi Code of 1972:

8 49-19-408. (1) A person may enter in or upon public lands  
9 or waters, except buildings, while in the lawful performance of  
10 forest inventory duties for the Mississippi Institute for Forest  
11 Inventory without criminal liability for trespass. The person  
12 shall make a good faith attempt to announce and identify himself  
13 and his intentions before entering upon property.

14 (2) This section does not relieve the person from any civil  
15 liability that otherwise is actionable at law or in equity and  
16 does not relieve the person from criminal liability for trespass  
17 if the entry in or upon the property extends beyond the property  
18 or area that is necessary to actually perform the forest inventory  
19 duties.

20 **SECTION 2.** This act shall take effect and be in force from  
21 and after its passage.