

By: Representative Shows

To: Forestry; Judiciary B

HOUSE BILL NO. 1039

1 AN ACT TO CREATE SECTION 49-19-408, MISSISSIPPI CODE OF
2 1972, TO PROVIDE LIMITED IMMUNITY FROM CRIMINAL TRESPASS FOR PERSON
3 CONDUCTING FOREST INVENTORY ON PRIVATE LANDS 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 or
9 private lands or waters, except buildings, while in the lawful
10 performance of forest inventory duties for the Mississippi
11 Institute for Forest Inventory without criminal liability for
12 trespass. The person shall make a good faith attempt to announce
13 and identify himself and his intentions before entering upon
14 private property.

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

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