

By: Representative Sanford

To: Judiciary A

HOUSE BILL NO. 1667

1 AN ACT TO AUTHORIZE "PURPLE PAINT NOTICE" AS A FORM OF PROPER  
 2 NOTICE FOR DETERMINING WHETHER SOMEONE HAS VIOLATED ANY PROVISIONS  
 3 OF TRESPASS UPON LANDS; TO BRING FORWARD SECTIONS 97-17-85 AND  
 4 97-17-91, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE CRIME OF  
 5 TRESPASS AND DEFACING NOTICES, FOR PURPOSES OF AMENDMENT; AND FOR  
 6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) For purposes of determining whether notice  
 9 is given for any violation of trespass under the laws of this  
 10 state:

11 (a) Any sign or signs posted on the property,  
 12 reasonably likely to come to the attention of intruders,  
 13 indicating that entry is forbidden; or

14 (b) The placement of identifying purple paint marks on  
 15 trees or posts on the property shall be considered notice, if the  
 16 marks satisfy all of the following:

17 (i) Are vertical lines of not less than eight  
 18 inches in length and not less than one inch in width.



19 (ii) Are placed so that the bottom of the mark is  
20 not less than three feet from the ground or more than five feet  
21 from the ground.

22 (iii) Are placed at locations that are readily  
23 visible to any person approaching the property and are no more  
24 than 100 feet apart on forest land or 1,000 feet apart on land  
25 other than forest land.

26 (2) Purple Paint Notice for purposes of this act shall be  
27 construed as properly given:

28 (a) by posting a notice in four (4) conspicuous places  
29 on the borders of such land prohibiting entry thereon; or

30 (b) by marking boundaries with a clearly visible  
31 purple-painted marking, consisting of one (1) vertical line not  
32 less than eight (8) inches in length and two (2) inches in width,  
33 and the bottom of the mark not less than three (3) nor more than  
34 six (6) feet from the ground or normal water surface. These marks  
35 must be affixed to immovable, permanent objects that are not more  
36 than one hundred (100) yards apart and readily visible to any  
37 person approaching the property.

38 (3) When any owner or tenant of any lands shall post a  
39 notice as provided in this section, a proof of the posting is  
40 deemed and taken as notice conclusive against the person making  
41 entry for the purpose of trespassing.

42 **SECTION 2.** Section 97-17-85, Mississippi Code of 1972, is  
43 brought forward as follows:



44 97-17-85. Except as otherwise provided in Section 73-13-103,  
45 if any person shall go upon the enclosed land of another without  
46 his consent, after having been notified by such person or his  
47 agent not to do so, either personally or by published or posted  
48 notice, or shall remain on such land after a request by such  
49 person or his agent to depart, he shall, upon conviction, be fined  
50 not more than Fifty Dollars (\$50.00) for such offense. The  
51 provisions of this section shall apply to land not enclosed where  
52 the stock law is in force.

53 **SECTION 3.** Section 97-17-91, Mississippi Code of 1972, is  
54 brought forward as follows:

55 97-17-91. Any person who shall deface, remove, alter or  
56 destroy any notice placed upon any lands by the owner thereof or  
57 his agent posting or otherwise prohibiting the entrance upon any  
58 lands in this state shall, upon conviction, be fined not more than  
59 Fifty Dollars (\$50.00) for each such notice defaced, removed,  
60 altered or destroyed.

61 **SECTION 4.** This act shall take effect and be in force from  
62 and after July 1, 2024.

