

FIRST REGULAR SESSION

SENATE BILL NO. 398

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARNITZ.

Read 1st time February 18, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1993S.011

AN ACT

To repeal section 569.145, RSMo, and to enact in lieu thereof one new section relating to posting of property against trespassers, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 569.145, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 569.145, to read as follows:

569.145. In addition to the posting of real property as set forth in section
2 569.140, the owner or lessee of any real property may post the property by placing
3 identifying purple [paint] marks on trees or posts around the area to be
4 posted. Each [paint] **purple** mark shall be:

5 (1) A vertical line of at least eight inches in length and the bottom of the
6 mark shall be no less than three feet nor more than five feet high. Such [paint]
7 marks shall be placed no more than one hundred feet apart and shall be readily
8 visible to any person approaching the property; **or**

9 (2) **A post capped or otherwise marked on at least its top two**
10 **inches. The bottom of the cap or mark shall be not less than three feet**
11 **but not more than five feet six inches high. Posts so marked shall be**
12 **placed not more than thirty-six feet apart and shall be readily visible**
13 **to any person approaching the property. Prior to applying a cap or**
14 **mark which is visible from both sides of a fence shared by different**
15 **property owners or lessees, all such owners or lessees shall concur in**
16 **the decision to post their own property.**

17 Property so posted is to be considered posted for all purposes, and any
18 unauthorized entry upon the property is trespass in the first degree, and a class
19 B misdemeanor.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.