

HOUSE BILL NO. HB0019

Painted fenceposts-no trespassing.

Sponsored by: Representative(s) Flitner, Crago and Sommers
and Senator(s) Driskill, Kost and Schuler

A BILL

for

1 AN ACT relating to crimes and offenses; specifying that
2 private property may be designated by use of fluorescent
3 orange or fluorescent pink paint; requiring the game and
4 fish commission and the department of state parks and
5 cultural resources to inform permittees concerning entry on
6 and rights-of-way through private land; and providing for
7 an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 6-3-303(a)(i), (ii) and by creating a
12 new paragraph (iii), 23-1-302(a) by creating a new
13 paragraph (xxxiii) and 36-4-121 by creating a new
14 subsection (u) are amended to read:

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1 **6-3-303. Criminal trespass; penalties.**

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3 (a) A person is guilty of criminal trespass if he
4 enters or remains on or in the land or premises of another
5 person, knowing he is not authorized to do so, or after
6 being notified to depart or to not trespass. For purposes
7 of this section, notice is given by:

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9 (i) Personal communication to the person by the
10 owner or occupant, or his agent, or by a peace officer; ~~or~~

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12 (ii) Posting of signs reasonably likely to come
13 to the attention of intruders; ~~or~~

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15 (iii) For notice of private property, marking of
16 a post, structure, or natural object with not less than
17 fifty (50) square inches of fluorescent orange or
18 fluorescent pink paint at each outer gate and normal point
19 of access to the private property, including both sides of
20 a body of water crossing the property wherever the body of
21 water intersects an outer boundary line and at regular
22 intervals of not less than one-fourth (1/4) mile along
23 private property bordering a public road, except that:

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23-1-302. Powers and duties.

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(a) The commission is directed and empowered:

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(A) When metal fenceposts are used, the entire post above ground shall be painted fluorescent orange or fluorescent pink;

(B) No fluorescent orange or fluorescent pink markings shall be placed on posts, structures or natural objects where a public roadway enters private land.

(xxxiii) To educate and inform all persons holding hunting, fishing or trapping licenses or permits by including on any publication concerning the licenses or permits, in condensed form, the provisions under W.S. 6-3-303(a) and 23-3-305(b) concerning entry on private land. The commission shall use public media, as well as its own publications, in attempting to educate and inform other recreational users of the provisions of W.S. 6-3-303(a) 23-3-305(b) concerning entry on private land. In the interests of providing the public with clear information

1 regarding the public nature of unfenced rights-of-way
2 through private land, the commission may develop and
3 distribute with the department of state parks and cultural
4 resources signs for posting where a public roadway enters
5 private land that give notice not to trespass off the road.

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7 **36-4-121. Permits to use state parks, recreation**
8 **areas and historic sites.**

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10 (u) The department shall educate and inform all
11 persons holding permits to use state parks, recreation
12 areas and historic sites by including on any publication
13 concerning the permits, in condensed form, the provisions
14 under W.S. 6-3-303(a) concerning entry on private land. The
15 department shall use public media, as well as its own
16 publications, in attempting to educate and inform
17 recreational users of the provisions of W.S. 6-3-303(a)
18 concerning entry on private land. In the interests of
19 providing the public with clear information regarding the
20 public nature of unfenced rights-of-way through private
21 land, the department may develop and distribute with the
22 game and fish commission signs for posting where a public

1 roadway enters private land that give notice not to
2 trespass off the road.

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4 **Section 2.** This act is effective July 1, 2022.

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(END)