

1 **UNAUTHORIZED ACTIVITY ON STATE LAND**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Margaret Dayton**

5 House Sponsor: Keith Grover

6

7 **LONG TITLE**

8 **General Description:**

9 This bill prohibits certain activities on state land.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ prohibits an individual from:

13 • starting a campfire on the bed of a navigable lake or river, except in a posted
14 and designated area;

15 • posting a sign claiming private property on state land; or

16 • prohibiting, preventing, or obstructing public entry onto state land where public
17 entry is authorized by the division; and

18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **65A-3-1**, as last amended by Laws of Utah 2013, Chapter 370

26

27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **65A-3-1** is amended to read:

29 **65A-3-1. Trespassing on state lands -- Penalties.**

- 30 (1) As used in this section:
- 31 (a) "Anchored" is as defined in Section 73-18-2.
- 32 (b) "Beached" is as defined in Section 73-18-2.
- 33 (c) "Vessel" is as defined in Section 73-18-2.
- 34 (2) A person is guilty of a class B misdemeanor and liable for the civil damages
- 35 prescribed in Subsection (4) if, without written authorization from the division, the person:
- 36 (a) removes, extracts, uses, consumes, or destroys any mineral resource, gravel, sand,
- 37 soil, vegetation, or improvement on state lands;
- 38 (b) grazes livestock on state lands;
- 39 (c) uses, occupies, or constructs improvements or structures on state lands;
- 40 (d) uses or occupies state lands for more than 30 days after the cancellation or
- 41 expiration of written authorization;
- 42 (e) knowingly and willfully uses state lands for commercial gain;
- 43 (f) appropriates, alters, injures, or destroys any historical, prehistorical, archaeological,
- 44 or paleontological resource on state lands;
- 45 (g) starts a campfire or camps on the [beds] bed of a navigable [lakes or rivers] lake or
- 46 river except in a posted and designated [areas] area;
- 47 (h) camps on sovereign land for longer than 15 consecutive days at the same location
- 48 or within one mile of the same location;
- 49 (i) camps on sovereign land for 15 consecutive days, and then returns to camp at the
- 50 same location before 15 consecutive days have elapsed after the day on which the person left
- 51 that location;
- 52 (j) leaves an anchored or beached vessel unattended for longer than 48 hours on
- 53 sovereign land or navigable lakes or rivers;
- 54 (k) anchors or beaches a vessel for longer than 72 hours at the same location, on
- 55 sovereign land or navigable lakes or rivers, and then fails to move the vessel at least two miles
- 56 from that location; ~~or~~
- 57 (l) parks or operates motor vehicles on the beds of navigable lakes and rivers except in

58 those areas supervised by the Division of Parks and Recreation or other state or local
59 enforcement entity and which are posted as open to vehicle use[?];

60 (m) posts a sign claiming state land as private property; or

61 (n) prohibits, prevents, or obstructs public entry to state land where public entry is
62 authorized by the division.

63 (3) A person is guilty of a class C misdemeanor and liable for civil damages described
64 in Subsection (4) if, on state lands surrounding Bear Lake and without written authorization of
65 the division, the person:

66 (a) parks or operates a motor vehicle in an area on the exposed lake bed that is not
67 specifically posted by the division as open for usage;

68 (b) launches or retrieves a vessel in an area not specifically designated by the division
69 as open for launching or retrieving a vessel;

70 (c) exceeds a speed limit of 15 miles per hour while operating a motor vehicle;

71 (d) except as necessary while launching or retrieving a vessel in an area where the
72 person is permitted to launch or retrieve a vessel, parks or operates a motor vehicle within an
73 area between the water's edge and a line posted by the division;

74 (e) except as allowed and posted by the division, travels in a motor vehicle parallel to
75 the water's edge;

76 (f) parks or operates a motor vehicle between the hours of 10 p.m. and 7 a.m.; or

77 (g) starts a campfire or uses fireworks.

78 (4) A person who commits any act described in Subsection (2) or (3) is liable for
79 damages in the amount of:

80 (a) three times the value of the mineral or other resource removed, destroyed, or
81 extracted;

82 (b) three times the value of damage committed; or

83 (c) three times the consideration which would have been charged by the division for
84 use of the land during the period of trespass.

85 (5) In addition to the damages described in Subsection (4), a person found guilty of a

86 misdemeanor under Subsection (2) or (3) is subject to the penalties provided in Section

87 [76-3-204](#).

88 (6) Money collected under this section shall be deposited in the fund in which similar

89 revenues from that land would be deposited.