

UNAUTHORIZED ACTIVITY ON STATE LAND

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Keith Grover

LONG TITLE

General Description:

This bill prohibits certain activities on state land.

Highlighted Provisions:

This bill:

▶ prohibits an individual from:

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

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

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

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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.

Legislative Review Note
as of 1-13-15 9:18 AM

Office of Legislative Research and General Counsel