
By: **Washington County Delegation**
Introduced and read first time: February 8, 2002
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Trespass - Public and Private Property**

3 FOR the purpose of prohibiting an individual from entering or trespassing on public
4 or private property by certain means if the owner of the property has met
5 certain requirements; clarifying that only certain entries on public or private
6 property are considered trespassing; providing for the construction of this Act;
7 and generally relating to trespassing on public and private property in
8 Washington County.

9 BY repealing and reenacting, with amendments,
10 The Public Local Laws of Washington County
11 Section 10-101
12 Article 22 - Public Local Laws of Maryland
13 (1991 Edition and December 1997 Supplement, as amended)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 22 - Washington County**

17 10-101.

18 (a) A person may not [go on another person's land to hunt or fish against the
19 will and without the consent of the owner or occupant] ENTER ON ANY PUBLIC OR
20 PRIVATE PROPERTY WHERE SIGNS PROHIBITING TRESPASSERS ARE
21 CONSPICUOUSLY POSTED AND REASONABLY MAY BE SEEN.

22 (b) (1) A person may not [go on another person's land and injure or carry
23 away any grain or fruit, or tear down or injure any fence, vine, tree, or wall, without
24 first obtaining the consent of the owner or occupant of the land] ENTER OR CROSS
25 OVER PUBLIC OR PRIVATE PROPERTY OR BOARD THE BOAT OR OTHER MARINE
26 VESSEL OF ANOTHER, AFTER HAVING BEEN NOTIFIED BY THE OWNER OR THE
27 OWNER'S AGENT NOT TO DO SO, UNLESS ENTERING OR CROSSING UNDER A GOOD
28 FAITH CLAIM OR RIGHT OF OWNERSHIP.

1 (2) A PERSON MAY NOT REMAIN ON PUBLIC OR PRIVATE PROPERTY,
2 INCLUDING THE BOAT OR OTHER MARINE VESSEL OF ANOTHER, AFTER HAVING
3 BEEN NOTIFIED BY THE OWNER OR THE OWNER'S AGENT NOT TO DO SO.

4 (3) THIS SECTION PROHIBITS ONLY WANTON ENTRY ON PUBLIC OR
5 PRIVATE PROPERTY.

6 (c) Any person who violates the provisions of this section is guilty of a
7 misdemeanor and upon conviction [shall be fined not less than \$1 nor more than \$20
8 and costs. Upon refusal to pay the fine the person shall be confined in the county jail
9 for a period not exceeding 30 days, or until the fine and costs are paid, whichever
10 occurs first] IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR
11 NOT MORE THAN 90 DAYS OR BOTH.

12 (D) THIS SECTION MAY NOT BE CONSTRUED TO ALLOW ANY ACT THAT IS
13 PROHIBITED BY §§ 6-401 THROUGH 6-410 OF THE CRIMINAL LAW ARTICLE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2002.