
ASSEMBLY BILL NO. 227—ASSEMBLYMEN CARPENTER, MABEY,
CLABORN, GOEDHART, GOICOECHEA, GRADY, MARVEL
AND SETTELMEYER

MARCH 1, 2007

JOINT SPONSORS: SENATORS RHOADS AND MCGINNESS

Referred to Committee on Judiciary

SUMMARY—Revises the provisions governing the posting of
warnings against trespassing. (BDR 15-702)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to trespassing; revising the provisions governing
the posting of warnings against trespassing; and providing
other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a person commits the crime of trespassing if the person
2 willfully goes or remains upon any land or in any building after having been
3 warned not to trespass. (NRS 207.200) For the purposes of determining whether a
4 person has been given sufficient warning not to trespass, the owner of land may
5 choose to fence the area or may paint the area in a specific manner.

6 This bill changes the interval between posts, structures or natural objects that
7 must be painted from 200 feet to one-quarter mile. This bill also changes existing
8 law, which requires that a post must be painted with not less than 50 square inches
9 of paint and which requires that if the post is a metal fence post, the entire post
10 must be painted, to provide that only the top 12 inches of any post must be painted,
11 regardless of whether the post is made of wood, metal or other material.
12 Furthermore, this bill requires that all corners of the area and all gates, cattle guards
13 and openings that are designed for entry must be painted with fluorescent orange
14 paint.



* A B 2 2 7 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 207.200 is hereby amended to read as follows:
207.200 1. Unless a greater penalty is provided pursuant to
NRS 200.603, any person who, under circumstances not amounting
to a burglary:

(a) Goes upon the land or into any building of another with
intent to vex or annoy the owner or occupant thereof, or to commit
any unlawful act; or

(b) Willfully goes or remains upon any land or in any building
after having been warned by the owner or occupant thereof not to
trespass,

➤ is guilty of a misdemeanor. The meaning of this subsection is not
limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning
of this section, is given by either of the following methods:

(a) Painting ~~[-at]~~ :

*(1) At intervals of not more than ~~{200-feet}~~ one-quarter mile
on each side of the land, upon or near the boundary, a ~~{post,}~~
structure or natural object with not less than 50 square inches of
fluorescent orange paint or ~~[-, if the post is a metal fence post,
painting the entire post with such paint.] the top 12 inches of a post,
whether made of wood, metal or other material, with fluorescent
orange paint;~~*

*(2) All corners of the area with fluorescent orange paint;
and*

*(3) All gates, cattle guards and openings that are designed
to allow human ingress to the area with fluorescent orange paint.*

(b) Fencing the area.

3. It is prima facie evidence of trespass for any person to be
found on private or public property which is posted or fenced as
provided in subsection 2 without lawful business with the owner or
occupant of the property.

4. An entryman on land under the laws of the United States is
an owner within the meaning of this section.

5. As used in this section, "fence" means a barrier sufficient to
indicate an intent to restrict the area to human ingress, including, but
not limited to, a wall, hedge or chain link or wire mesh fence.

