

HOUSE BILL NO. 464

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Daily Data Tracking History

H0464.....by STOICHEFF

Requested by: Stoicheff

TRESPASSING/KILLING ANIMALS - Amends existing law to provide felony penalties for trespassing and killing animals or trespassing with intent to kill animals.

01/12 House intro - 1st rdg - to printing

01/12 Rpt prt - to Jud

Bill Text

H0464

|||| LEGISLATURE OF THE STATE OF IDAHO ||||
Fifty-fourth Legislature Second Regular Session - 1998

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 464

BY STOICHEFF

1 AN ACT

2 RELATING TO TRESPASS; AMENDING SECTION 18-7008, IDAHO CODE, TO PROVIDE FELONY
3 PENALTIES FOR TRESPASSING AND KILLING ANIMALS OR TRESPASSING WITH INTENT
4 TO KILL ANIMALS AND TO MAKE TECHNICAL CORRECTIONS.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 18-7008, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 18-7008. TRESPASS -- ACTS CONSTITUTING. A. Every person who
9 ~~wilfully~~ willfully commits any trespass, by either:

- 10 1. Cutting down, destroying or injuring any kind of wood or timber
- 11 belonging to another, standing or growing upon the lands of another; or
- 12 2. Carrying away any kind of wood or timber lying on such lands; or
- 13 3. Maliciously injuring or severing from the freehold of another, any-
- 14 thing attached thereto, or the produce thereof; or
- 15 4. Digging, taking, or carrying away from any lot situated within the
- 16 limits of any incorporated city, without the license of the owner or legal
- 17 occupant thereof, any earth, soil, stone; or
- 18 5. Digging, taking, or carrying away from any land in any of the cities
- 19 of the state, laid down on the map or plan of such city, or otherwise rec-
- 20 ognized or established as a street, alley, avenue, or park, without the
- 21 license of the proper authorities, any earth, soil or stone; or

22 6. ~~Wilfully~~ Willfully opening, tearing down, or
23 otherwise destroying any fence on the ~~inclosed~~ enclosed
24 _____ land of another, or opening any gate, bar, or fence of another and
25 ~~wilfully~~ willfully leaving it open, or using the
26 corral or corrals of another without the permission of the owner; or
27 7. ~~Wilfully~~ Willfully covering up or
28 encumbering in any manner, the land or city lot of another, without writ-
29 ten permission from the owner or custodian thereof; or
30 8. Every person, except under landlord-tenant relationship, who, being
31 first notified in writing, or verbally by the owner or authorized agent of
32 the owner of real property, to immediately depart from the same and who
33 refuses so to depart after being so notified; or
34 9. Entering without permission of the owner or the owner's agent, upon
35 the real property of another person which real property is posted with "No
36 Trespassing" signs, is posted with a minimum of one hundred (100) square
37 inches of fluorescent orange paint except that when metal fence posts are
38 used, the entire post must be painted fluorescent orange, or other notices
39 of like meaning, spaced at intervals of not less than one (1) sign, paint
40 area or notice per six hundred sixty (660) feet along such real property;
41 provided that where the geographical configuration of the real property is
42 such that entry can reasonably be made only at certain points of access,
43 such property is posted sufficiently for all purposes of this section if

2

1 said signs, paint or notices are posted at such points of access:
2 Is guilty of a misdemeanor.

3 B. Every person who willfully commits any trespass by killing ani-
4 mals belonging to another or trespassing with the intent to kill an animal or
5 animals is guilty of a felony.

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE RS 07428

The purpose of this bill is to declare trespassing with intent to kill animals or the killing of animals a felony.

No determinable effect.

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FISCAL NOTE

STATEMENT OF PURPOSE/FISCAL NOTE

H 464