

Amend for 5565: H. Res. (p. 1661)

FEB 17 1988

Place On Calendar

HOUSE FILE 2258

BY COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION

(Formerly House Study Bill 706)

Passed House, Date 2/22/88 (p. 1661) Passed Senate, Date 4/15/88 (p. 1661)

Vote: Ayes 84 Nays 14 Vote: Ayes 33 Nays 14

Approved May 11, 1988
*Approved by majority of 128
June 21, 1988*

A BILL FOR

1 An Act relating to trespass upon the right-of-way of a public
2 road or highway.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2258

S-5565

- 1 Amend House File 2258 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 111C.2, subsection 3, Code
- 6 1987, is amended to read as follows:
- 7 3. "Recreational purpose" means the following or
- 8 any combination thereof: Hunting, trapping, horseback
- 9 riding, fishing, swimming, boating, camping,
- 10 picnicking, hiking, pleasure driving, motorcycling,
- 11 nature study, water skiing, snowmobiling, other summer
- 12 and winter sports, and viewing or enjoying historical,
- 13 archaeological, scenic, or scientific sites while
- 14 going to and from or actually engaged therein."
- 15 2. Title, line 1, by inserting after the word
- 16 "to" the following: "recreational use of private
- 17 lands or waters and to".

S-5565
Filed March 25, 1988
w/d 4/15 (p. 1661)

BY COMMITTEE ON NATURAL RESOURCES
KENNETH SCOTT, Chairperson

1 Section 1. Section 716.7, Code 1987, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. The term "trespass" does not mean the
4 entering upon the right-of-way of a public road or highway.

5 EXPLANATION

6 This bill provides that a person entering upon the right-
7 of-way of a public road or highway for lawful purposes other
8 than those related to transportation does not commit criminal
9 trespass.

10 SUCCESSOR TO HSB 706 (LSB 8194HC)

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12 _____
HOUSE FILE 2258

H-5141

1 Amend House File 2258 as follows:

2 1. Page 1, line 4, by inserting after the word
3 "highway." the following: "However, the term
4 "trespass" does apply to hunting, fishing, or trapping
5 within either half of the right-of-way of a public
6 road or highway if the property adjoining that half of
7 the right-of-way is posted to prohibit hunting,
8 fishing, or trapping."

H-5141 FILED FEBRUARY 22, 1988 BY BENNETT of Ida
(check o/a 3/1/88)

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House Study Bill 706

RESOURCES AND
JR RECREATION

Natural Resources and Outdoor Recreation: Johnson, Chair; Fogarty, Fuller, Platt and
Pyrell.

Am

HOUSE FILE 2258

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to trespass upon the right-of-way of a public
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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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6 This bill provides that a person entering upon the right-
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AN ACT
RELATING TO TRESPASS UPON THE RIGHT-OF-WAY OF A PUBLIC ROAD
OR HIGHWAY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 716.7, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The term "trespass" does not mean the entering upon the right-of-way of a public road or highway.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2258, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 11, 1988

TERRY E. BRANSTAD
Governor

HF 2258