

January 13, 2021

**RE: Support of Senate Bill No. 2144**

Greetings.

My name is Ryan Younggren and I am a prosecutor at the Cass County State's Attorney's office. I offer my support for Senate Bill No. 2144.

This bill gives the force of law to online enrollment for landowners to post their land. This will be useful to both outdoorsmen and women who can easily find information regarding land access. It also eases the burdens of landowners from maintaining signage. However, physical posting of land remains an option.

The second part of this bill addresses criminal trespass violations on fenced land. It defines a "fence" as a "permanent structure on nonurban, private property which is maintained and capable of containing livestock". There is an exception for those who are lawfully "hunting and fishing".

This again serves both landowners who maintain a fence on their land and wish to limit access and preserves the ability of sportsmen and women to hunt hunting or fishing on unposted land. Also, this bill is careful not to simply create a blanket criminal violation for incidental trespass or otherwise on urban property such as walking one's dog or a neighbor who finds a ball in their yard or other publicly accessible areas for deliveries or law enforcement purposes.

The third part of this bill clarifies a citation option which gives flexibility to law enforcement and landowners who desire a consequence but not a criminal conviction. This may be useful for first-time offenders or less egregious offenses for which the only penalty is a fine.

I respectfully ask you for your support of SB No. 2144.

Sincerely,



Ryan J. Younggren  
Assistant Cass County State's Attorney