

HOUSE BILL No. 2027

By Representative Otto

1-9

9 AN ACT relating to posted land; concerning searches; amending K.S.A.
10 2006 Supp. 32-1013 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2006 Supp. 32-1013 is hereby amended to read as
14 follows: 32-1013. (a) Any landowner or person in lawful possession of any
15 land may post such land with signs stating that hunting, trapping or fishing
16 on such land shall be by written permission only. It is unlawful for any
17 person to take wildlife on land which is posted as provided in this sub-
18 section, without having in the person's possession the written permission
19 of the owner or person in lawful possession thereof.

20 (b) Instead of posting land as provided in subsection (a), any land-
21 owner or person in lawful possession of any land may post such land by
22 placing identifying purple paint marks on trees or posts around the area
23 to be posted. Each paint mark shall be a vertical line of at least eight
24 inches in length and the bottom of the mark shall be no less than three
25 feet nor more than five feet high. Such paint marks shall be readily visible
26 to any person approaching the land. Land posted as provided in this sub-
27 section shall be considered to be posted by written permission only as
28 provided in subsection (a).

29 (c) *Any search of a building on land posted in accordance with this*
30 *section shall require a search warrant issued pursuant to K.S.A. 22-2502,*
31 *and amendments thereto, unless the landowner has given specific written*
32 *permission or oral permission which is recorded, before the building is*
33 *searched.*

34 (d) A person licensed to hunt or furharvest who is following or pur-
35 suing a wounded animal on land as provided in this section posted without
36 written permission of the landowner or person in lawful possession
37 thereof shall not be in violation of this section while in such pursuit, except
38 that the provisions of this subsection shall not authorize a person to re-
39 main on such land if instructed to leave by the owner or person in lawful
40 possession of the land. Any person who fails to leave such land when
41 instructed is subject to the provisions of subsection (b) of K.S.A. 21-3728,
42 and amendments thereto.

43 ~~(d)~~ (e) Any person convicted of violating provisions of this section

1 shall be subject to the penalties prescribed in K.S.A. 32-1031, and amend-
2 ments thereto, except as provided in K.S.A. 32-1032, and amendments
3 thereto, relating to big game and wild turkey.

4 Sec. 2. K.S.A. 2006 Supp. 32-1013 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.