97B.002 CIVIL TRESPASS.

Subdivision 1. **Authority to issue.** Conservation officers, sheriffs, and deputies may issue citations to a person who trespasses in violation of section 84.90 or 97B.001 or removes a sign posted to prevent trespass without permission of the owner of the property.

Subd. 2. **Penalty amount.** The citation must impose the following penalty amounts:

(1) $50 for the first violation;

(2) $200 for the second violation in a three-year period;

(3) for a third or subsequent violation in a three-year period, the penalty shall be $500 and loss of every license or registration being used; and

(4) $50 for removal of a sign posted pursuant to this section.

Subd. 3. **Appeals.** Citations may be appealed under the procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. **Enforcing field citations.** Field citations may be enforced under section 116.072, subdivisions 9 and 10.

Subd. 5. **Cumulative remedy.** The authority to issue field citations is in addition to other remedies available under statutory or common law, except that the state may not seek penalties under any other provision of law for the incident subject to the citation.

Subd. 6. **Paying penalty.** Penalty amounts shall be remitted within 30 days of issuance of the penalty citation to the issuer.

Subd. 7. **Allocating penalty amounts.** Penalty amounts are deposited to the county or the commissioner for deposit in the game and fish fund depending upon who issues the citation.

History: *1996 c 301 s 8; 2000 c 466 s 2*