

**53-1-115 Office of Executive Protection -- Closure of property to protect governor --  
Violation of order of closure.**

- (1) As used in this section:
  - (a) "Office" includes the governor's official office and any other location not generally open to the public in which the governor is conducting the business of the state.
  - (b) "Parking space" includes any space occupied or to be occupied by the governor's vehicle when parked, regardless of whether it is the regular parking space of the governor's vehicle.
  - (c) "Premises" includes:
    - (i) the governor's official residence, private residence, and any temporary residence owned by the governor or the governor's family; and
    - (ii) any temporary lodging or residence where the governor is staying or intends to stay, regardless of whether the stay is for official or other purposes.
  - (d) "Vehicle" includes an automobile, airplane, or other mode of conveyance in which the governor is traveling or intends to travel.
- (2) A member of the Office of Executive Protection may order the closure of or restriction of access to the governor's premises or office when in the member's discretion that action is necessary to insure the safety of the governor, the governor's immediate family, or other persons within the premises or office.
- (3) A member of the Office of Executive Protection may order restriction of access to the governor's vehicle by ordering closure of or restriction of access to areas surrounding the vehicle, the vehicle's parking space, or the vehicle's routes of ingress or egress, when in the member's discretion that action is necessary to ensure the safety of the governor, the governor's immediate family, other persons within the vehicle, or the safe passage of persons in or out of or to or from the vehicle.
- (4) A member of the Office of Executive Protection may order closure or restriction of access to any public property when in the member's discretion that action is necessary in the discharge of the duty to protect the governor, the governor's immediate family, or other persons for whom protection may be provided under Section 53-1-114.
- (5)
  - (a) A member of the Office of Executive Protection may order closure of or restriction of access to privately owned property to the same extent and for the same purposes as for publicly owned property with the consent of the owner, tenant, or occupant of the private property.
  - (b) The owner, tenant, or occupant may:
    - (i) expressly ratify consent that was previously implicit; and
    - (ii) withdraw consent by informing a member of the Office of Executive Protection.
- (6) An order of closure or restriction remains in effect for up to three consecutive days and may be extended beyond three days:
  - (a) with the commissioner's approval; or
  - (b) without the commissioner's approval if immediate circumstances warrant the extension.
- (7)
  - (a) An order closing or restricting access to property shall be posted by placing a copy of it at the primary entrance to the property.
  - (b) An order restricting access to a vehicle shall be posted by placing a copy of it in the area to be closed or restricted, including the area surrounding the vehicle, the vehicle's parking space, or the vehicle's routes of ingress or egress.
  - (c) An order is not invalidated for failure to comply with the procedures of Subsection (7)(a) or (7)(b) if notice to the public of the order is otherwise sufficient and reasonable under the circumstances.

- (8) An order shall specify the extent of the closure or restriction.
- (9) A person who intentionally or knowingly enters or remains within public property in violation of an order of closure or restricted access is guilty of a class B misdemeanor.
- (10) This section does not restrict or limit a member of the Office of Executive Protection in exercising any other power available to the member as an officer of the law to provide for the security of the governor or the safety of the public.

Amended by Chapter 146, 2000 General Session