

CHAPTER 197**(SB 118)**

AN ACT relating to trespass.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 511.070 is amended to read as follows:

- (1) A person is guilty of criminal trespass in the second degree when he or she knowingly enters or remains unlawfully in a building or upon premises as to which notice against trespass is given by fencing or other enclosure.
- (2) *For the purposes of this section, notice against trespass includes the placement of identifying purple paint marks on trees or posts on the property, if the marks are:*
 - (a) *Vertical lines of not less than eight (8) inches in length and not less than one (1) inch in width;*
 - (b) *Placed so that the bottom of the mark is not less than three (3) feet from the ground nor more than five (5) feet from the ground; and*
 - (c) *Placed at locations that are readily visible to any person approaching the property and no more than:*
 1. *One hundred (100) feet apart on forest land; or*
 2. *One thousand (1,000) feet apart on land other than forest land.*
- (3)~~(2)~~ Criminal trespass in the second degree is a Class B misdemeanor, unless the offense occurs during a declared emergency as defined by KRS 39A.020 arising from a natural or man-made disaster, within the area covered by the emergency declaration, and within the area impacted by the disaster, in which case it is a Class A misdemeanor.

Signed by Governor April 17, 2024.