

511.070 Criminal trespass in the second degree.

- (1) A person is guilty of criminal trespass in the second degree when he or she knowingly enters or remains:
 - (a) Unlawfully in a building or upon premises as to which notice against trespass is given by fencing or other enclosure; or
 - (b) In a workplace, while engaging in threatening behavior, as to which notice against trespass is given verbally or in writing by the applicable employer, an employee with the employer's authorization, or an authorized agent of the employer.
- (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) Criminal trespass in the second degree is a Class B misdemeanor, unless:
 - (a) 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; or
 - (b) A person commits a second or subsequent offense within three (3) years of the prior offense;

in which case it is a Class A misdemeanor.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 67, sec. 3, effective July 15, 2026. -- Amended 2024 Ky. Acts ch. 197, sec. 1, effective July 15, 2024. -- Amended 2022 Ky. Acts ch. 151, sec. 7, effective July 14, 2022. -- Created 1974 Ky. Acts ch. 406, sec. 102, effective January 1, 1975.