

1 AN ACT relating to trespass.

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

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

4 (1) A person is guilty of criminal trespass in the second degree when he knowingly
5 enters or remains unlawfully in a building or upon premises as to which notice
6 against trespass is given by fencing or other enclosure.

7 **(2) Subject to the provisions of subsection (3) of this section, for the purposes of this**
8 **section, notice against trespass includes the placement of identifying purple paint**
9 **marks on trees or posts on the property, if the marks are:**

10 **(a) Vertical lines of not less than eight (8) inches in length and not less than**
11 **one (1) inch in width;**

12 **(b) Placed so that the bottom of the mark is not less than three (3) feet from the**
13 **ground or more than five (5) feet from the ground; and**

14 **(c) Placed at locations that are readily visible to any person approaching the**
15 **property and no more than:**

16 **1. One hundred (100) feet apart on forest land; or**

17 **2. One thousand (1,000) feet apart on land other than forest land.**

18 **(3) Any owner or lessee who marks his or her real property using the method**
19 **described in subsection (2) of this section shall also provide clear written notice**
20 **forbidding entry. This subsection shall cease to be operative one (1) year from the**
21 **effective date of this Act.**

22 ~~(4)~~(2) Criminal trespass in the second degree is a Class B misdemeanor.

23 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO
24 READ AS FOLLOW:

25 **The Department shall inform the public of this state about the provisions of**
26 **subsections (2) and (3) of Section 1 of this Act. The department shall conduct an**
27 **information campaign for the general public concerning the interpretation and**

1 implementation of subsections (2) and (3) of Section 1 of this Act. The information
2 shall inform the public about the marking requirements and the applicability of
3 subsection (2) of Section 1 of this Act, including information regarding the size
4 requirements of the markings as well as the manner in which the markings shall be
5 displayed. The department shall also include information regarding the requirement
6 that, until the date that subsection (3) of Section 1 of this Act becomes inoperative, any
7 owner or lessee who chooses to mark his or her property using paint shall also include
8 clear written notice forbidding entry. The department may prepare a brochure and may
9 disseminate the information through agency Web sites.