

1 AN ACT relating to school safety.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) Any person on school district property shall provide valid government-issued*  
6 *photo identification if requested by a school employee, school resource officer, or*  
7 *law enforcement officer.*

8 *(2) Any person who refuses or is unable to comply with subsection (1) of this section*  
9 *may be asked to immediately vacate the property.*

10 ➔Section 2. KRS 511.070 is amended to read as follows:

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

14 (2) Criminal trespass in the second degree is a Class B misdemeanor *unless the person*  
15 *knowingly enters or remains unlawfully in a school building or upon school*  
16 *premises as to which notice against trespass is given by fencing or other*  
17 *enclosure in which case it is a Class A misdemeanor.*

18 ➔Section 3. KRS 511.080 is amended to read as follows:

19 (1) A person is guilty of criminal trespass in the third degree when he knowingly enters  
20 or remains unlawfully in or upon premises.

21 (2) Criminal trespass in the third degree is a violation *unless the person knowingly*  
22 *enters or remains unlawfully in or upon school premises in which case it is a*  
23 *Class B misdemeanor.*

24 ➔Section 4. KRS 511.090 is amended to read as follows:

25 (1) A person "enters or remains unlawfully" in or upon premises when he is not  
26 privileged or licensed to do so.

27 (2) A person who, regardless of his intent, enters or remains in or upon premises which

1           are at the time open to the public does so with license or privilege unless he defies a  
2           lawful order not to enter or remain personally communicated to him by the owner of  
3           such premises, ~~for~~ other authorized person, or as provided in Section 1 of this Act.

4       (3) A license or privilege to enter or remain in or upon premises which are only partly  
5           open to the public is not a license or privilege to enter or remain in or upon a part of  
6           the premises which is not open to the public.

7       (4) A person who enters or remains upon unimproved and apparently unused land  
8           which is neither fenced nor otherwise enclosed does not commit criminal trespass  
9           unless notice against trespass is personally communicated to him by the owner of  
10          the land or some other authorized person or unless notice is given by posting in a  
11          conspicuous manner.

12       (5) Private land adjoining a railtrail that is neither fenced nor otherwise enclosed shall  
13          be presumed to be land where notice against trespassing has been given by the  
14          owner of the land, and a person utilizing the railtrail shall be presumed to lack  
15          privilege or license to enter upon that land unless the person has permission from an  
16          adjoining landowner to do so.