

1 AN ACT relating to vacant and abandoned property.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 61 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section, "law enforcement officer" means a member of a lawfully*  
6 *organized police unit or police force of city, county, urban-county, consolidated*  
7 *local, or charter county government who is responsible for the detection of crime*  
8 *and the enforcement of the general criminal laws of the Commonwealth, as well*  
9 *as a sheriff and a sworn deputy sheriff.*

10 *(2) A law enforcement officer may, without delay or advance notice, enter in or upon*  
11 *vacant and abandoned property to secure the property and arrest or remove any*  
12 *person unlawfully occupying the property.*

13 *(3) Real property shall be presumed vacant and abandoned under this section if a*  
14 *legal resident or other person legally entitled to occupy the property has not*  
15 *resided at the property for a period of forty-five (45) or more consecutive days and*  
16 *two (2) or more of the following or similar circumstances which would lead a*  
17 *reasonable person to believe that the property is vacant exist:*

18 *(a) Overgrown or dead vegetation;*

19 *(b) Accumulation of flyers, mail, or trash;*

20 *(c) Disconnected utilities;*

21 *(d) The absence of window coverings or furniture;*

22 *(e) Uncorrected hazardous conditions or vandalism; or*

23 *(f) Statements of neighbors, delivery persons, or government employees that*  
24 *the property is vacant.*

25 *(4) A law enforcement officer acting in good faith under this section shall be*  
26 *immune from criminal and civil liability.*