

2017 ORS Vol. 4 Chapter 164

164.245¹ Criminal trespass in the second degree

(1) A person commits the crime of criminal trespass in the second degree if the person enters or remains unlawfully in a motor vehicle or in or upon premises.

(2) Criminal trespass in the second degree is a Class C misdemeanor. [1971 c.743 §139; 1999 c.1040 §9]

¹ Legislative Counsel Committee, *CHAPTER 164—Offenses Against Property*, https://www.oregonlegislature.gov/bills_laws/ors/ors164.html (2017) (last accessed Mar. 30, 2018).

² Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 164*, https://www.oregonlegislature.gov/bills_laws/ors/ano164.html (2017) (last accessed Mar. 30, 2018).

³ OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

<https://www.oregonlaws.org/ors/164.245>

164.255¹ Criminal trespass in the first degree

(1) A person commits the crime of criminal trespass in the first degree if the person:

- (a) Enters or remains unlawfully in a dwelling;
- (b) Having been denied future entry to a building pursuant to a merchant's notice of trespass, reenters the building during hours when the building is open to the public with the intent to commit theft therein;
- (c) Enters or remains unlawfully upon railroad yards, tracks, bridges or rights of way; **or**
- (d) Enters or remains unlawfully in or upon premises that have been determined to be not fit for use under ORS [453.855 \(Purpose\)](#) to [453.912 \(Governmental immunity from liability\)](#).

(2) Subsection (1)(d) of this section does not apply to the owner of record of the premises if:

- (a) The owner notifies the law enforcement agency having jurisdiction over the premises that the owner intends to enter the premises;
- (b) The owner enters or remains on the premises for the purpose of inspecting or decontaminating the premises or lawfully removing items from the premises; **and**
- (c) The owner has not been arrested for, charged with or convicted of a criminal offense that contributed to the determination that the premises are not fit for use.

(3) Criminal trespass in the first degree is a Class A misdemeanor. [1971 c.743 §140; 1993 c.680 §23; 1999 c.837 §1; 2001 c.386 §1; 2003 c.527 §1]

¹ Legislative Counsel Committee, *CHAPTER 164—Offenses Against Property*, https://www.oregonlegislature.gov/bills_laws/ors/ors164.html (2017) (last accessed Mar. 30, 2018).

² Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 164*, https://www.oregonlegislature.gov/bills_laws/ors/ano164.html (2017) (last accessed Mar. 30, 2018).

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<https://www.oregonlaws.org/ors/164.255>

164.265¹ Criminal trespass while in possession of a firearm

(1) A person commits the crime of criminal trespass while in possession of a firearm who, while in possession of a firearm, enters or remains unlawfully in or upon premises.

(2) Criminal trespass while in possession of a firearm is a Class A misdemeanor. [1979 c.603 §2]

¹ Legislative Counsel Committee, *CHAPTER 164—Offenses Against Property*, https://www.oregonlegislature.gov/bills_laws/ors/ors164.html (2017) (last accessed Mar. 30, 2018).

² Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2017, Chapter 164*, https://www.oregonlegislature.gov/bills_laws/ors/ano164.html (2017) (last accessed Mar. 30, 2018).

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