

Senate Bill 1545

Sponsored by Senators MCLANE, BROADMAN; Senators GOLDEN, NASH, SMITH DB, Representatives BOWMAN, BREESE-IVERSON, BUNCH, LEVY E, OSBORNE, OWENS, RESCHKE (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act lets a person cross from one parcel of public land to another without committing a trespass. (Flesch Readability Score: 61.6).

Establishes immunity from action for trespass for persons that corner cross on public land. Establishes immunity for landowner for damages due to negligence or gross negligence arising out of corner crossing.

Excludes lawful corner crossing from the definition of "enter or remain unlawfully" for purposes of criminal trespass laws.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to corner crossing; creating new provisions; amending ORS 164.205; and declaring an
2 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** (1) **As used in this section:**

6 (a) "Corner cross" means to cross on foot from one parcel of public land to another
7 parcel of public land by stepping across the corner where two parcels of public land and one
8 or more parcels of privately owned land meet.

9 (b)(A) "Public land" means any lands owned by the State of Oregon, a local government,
10 as defined in ORS 174.116, or the United States or an agency of the United States.

11 (B) "Public land" does not include land held in trust by the United States for the benefit
12 of a federally recognized Indian tribe.

13 (2) **An owner of private land may not bring an action for trespass against a person that**
14 **corner crosses, provided that the person:**

15 (a) **Is authorized to enter and remain on the public land;**

16 (b) **Does not cause physical harm to the private landowner's real or personal property;**
17 **and**

18 (c) **Does not unreasonably interfere with the quiet enjoyment or use of the private**
19 **landowner's property.**

20 (3) **A person that corner crosses may not bring a claim for negligence or gross negligence**
21 **against a private landowner for damages arising out of the act of corner crossing.**

22 (4) **This section does not establish a prescriptive easement across private land.**

23 **SECTION 2.** ORS 164.205 is amended to read:

24 164.205. As used in ORS 164.205 to 164.270, except as the context requires otherwise:

25 (1) "Building," in addition to its ordinary meaning, includes any booth, vehicle, boat, aircraft
26 or other structure adapted for overnight accommodation of persons or for carrying on business
27 therein. Where a building consists of separate units, including, but not limited to, separate apart-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 ments, offices or rented rooms, each unit is, in addition to being a part of such building, a separate
2 building.

3 (2) "Dwelling" means a building which regularly or intermittently is occupied by a person
4 lodging therein at night, whether or not a person is actually present.

5 (3)(a) "Enter or remain unlawfully" means:

6 [(a)] (A) To enter or remain in or upon premises when the premises, at the time of such entry
7 or remaining, are not open to the public and when the entrant is not otherwise licensed or privi-
8 leged to do so;

9 [(b)] (B) To fail to leave premises that are open to the public after being lawfully directed to
10 do so by the person in charge;

11 [(c)] (C) To enter premises that are open to the public after being lawfully directed not to enter
12 the premises; or

13 [(d)] (D) To enter or remain in a motor vehicle when the entrant is not authorized to do so.

14 (b) **"Enter or remain unlawfully" does not include corner crossing conducted in accord-
15 ance with section 1 of this 2026 Act.**

16 (4) "Open to the public" means premises which by their physical nature, function, custom, usage,
17 notice or lack thereof or other circumstances at the time would cause a reasonable person to believe
18 that no permission to enter or remain is required.

19 (5) "Person in charge" means a person, a representative or employee of the person who has
20 lawful control of premises by ownership, tenancy, official position or other legal relationship.
21 "Person in charge" includes, but is not limited to the person, or holder of a position, designated as
22 the person or position-holder in charge by the Governor, board, commission or governing body of
23 any political subdivision of this state.

24 (6) "Premises" includes any building and any real property, whether privately or publicly owned.

25 **SECTION 3. This 2026 Act being necessary for the immediate preservation of the public
26 peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect
27 on its passage.**

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