

CHAPTER 67
(SB 130)

AN ACT relating to campus crime reporting.

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

➔Section 1. KRS 164.948 is amended to read as follows:

As used in KRS 164.9481, 164.9483, and 164.9485, unless the context requires otherwise:

- (1) "Campus" *has the same meaning as in 20 U.S.C. sec. 1092(f)(6)(A)(ii) as amended;*~~means all property owned, managed, or controlled by an institution of postsecondary education including but not limited to academic buildings; student housing and recreational facilities; residential facilities operated by any officially recognized student organization; all sections of public property such as streets, sidewalks, and parking facilities immediately contiguous to campus buildings; and remote facilities leased for use as classroom space or student living.~~
- (2) "Campus security authority" means campus police, security officers, and any official at a postsecondary education institution who has significant responsibility for student and campus activities, including student discipline, student housing, student judicial affairs, and student life administration. Professional mental health, pastoral, and other licensed counselors when functioning in that capacity are not considered campus security authorities;~~;~~
- (3) "Crime" *means any crime listed in 20 U.S.C. sec. 1092(f)(1)(F) as amended;*~~means murder, manslaughter, reckless homicide, assault, menacing, wanton endangerment, terroristic threatening, stalking, forcible or nonforcible sex offenses, burglary, criminal damage to property, arson, theft, motor vehicle theft, robbery, weapons possession, and criminal attempt for any of the aforementioned crimes, and arrests for drug related violations and liquor law violations.~~
- (4) "Immediately" means before the last fire unit has left the scene in order for the state fire marshal to have the opportunity to speak with fire unit personnel before they leave the scene, but no later than two (2) hours following the time the fire or threat of fire is discovered. In the event of a minor fire to which the local fire officials are not called or do not respond, "immediately" means no later than one (1) hour following the discovery of the fire;~~;~~
- (5) *"Noncampus building or property" has the same meaning as in 20 U.S.C. sec. 1092(f)(6)(A)(iii) as amended;*
- (6) "Postsecondary education institution" means any Kentucky public four (4) year institution or two (2) year community college or technical college that grants a postsecondary education credential, and any private college or university that is licensed by the Council on Postsecondary Education under KRS 164.945 to 164.947; ~~and~~;
- (7) *"Public property" has the same meaning as in 20 U.S.C. sec. 1092(f)(6)(A)(iv) as amended.*

➔Section 2. KRS 164.9485 is amended to read as follows:

Effective September 1, 2000, and each year thereafter, each postsecondary education institution shall submit to the Council on Postsecondary Education a statement of current policies concerning campus safety and security including, but not limited to:

- (1) The enforcement authority of security personnel, including their working relationship with state and local police agencies;
- (2) A description of programs designed to inform students and employees about the campus safety and security procedures and practices, how to report crimes, and how to prevent crimes; and
- (3) Statistics concerning the occurrence of crimes on campus during the most recent calendar year. The statistical data shall be reported by the number of occurrences based on:
 - (a) Location, broken down in the following classifications:
 1. Total number on campus;~~;~~

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- a. ~~Subtotal of occurrences indicating specifically those in dormitories or other residential facilities;~~
 - b. ~~Subtotal of occurrences indicating specifically those in or on noncampus buildings or property; and~~
2. On public property; ~~and~~ ~~contiguous to the campus~~
 3. ***Noncampus buildings and property.***
- (b) Category of crime committed:
1. As defined in KRS 164.948; and
 2. By category of prejudice, ***as described in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. sec. 1092(f)(F)(ii) as amended*** ~~{ any crime reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability }~~.

Signed by Governor April 2, 2018.