

CHAPTER 163**(HB 216)**

AN ACT relating to crimes and punishments.

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

➔Section 1. KRS 508.075 is amended to read as follows:

- (1) A person is guilty of terroristic threatening in the first degree when he or she:
 - (a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on:
 1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;
 2. A school bus or other vehicle owned, operated, or leased by a school;
 3. The real property or any building public or private that is the site of an official school-sanctioned function;~~{or}~~
 4. The real property or any building owned or leased by a government agency; or
 5. *The real property or any building owned or leased by a domestic violence shelter as defined in KRS 511.085; or*
 - (b) Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, *domestic violence shelter personnel*, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Terroristic threatening in the first degree is a Class C felony.

Signed by Governor April 8, 2022.