

CHAPTER 52**(SB 45)**

AN ACT relating to Kentucky Alert Systems.

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

➔Section 1. KRS 16.010 is amended to read as follows:

As used in KRS 16.010 to 16.199, unless the context requires otherwise:

- (1) "Board" means the Department of Kentucky State Police Personnel Board;
- (2) "Cabinet" means the Justice and Public Safety Cabinet;
- (3) "Cadet Trooper" means an applicant for employment as an officer who is selected by the commissioner to attend the department training program, and who is employed as a trainee;
- (4) "Civilian" means experts, statisticians, clerks, and other assistants who are not peace officers;
- (5) "Commissioner" means the commissioner of the Department of Kentucky State Police;
- (6) "Continuous service" for participation in and eligibility for the promotional process for each rank of officer commissioned under this chapter means:
 - (a) For sergeant, service as a commissioned Kentucky State Police officer that has not been interrupted by actual separation from the department, whether in the form of resignation, retirement, or termination;
 - (b) For lieutenant, service in grade as a sergeant that has not been interrupted by actual separation from the department, whether in the form of resignation, retirement, termination, or by demotion in accordance with KRS 16.140; and
 - (c) For captain, service in grade as lieutenant that has not been interrupted by actual separation from the department, whether in the form of resignation, retirement, termination, or by demotion in accordance with KRS 16.140;
- (7) "CVE R Class" means any retired Kentucky State Police commercial vehicle enforcement officer commissioned under KRS 16.187 who has become reemployed with the department on a contractual basis pursuant to KRS 16.196 to 16.199;
- (8) "Department" means the Department of Kentucky State Police;
- (9) *"Missing adult" means an individual who is:*
 - (a) *At or above the age of majority pursuant to KRS 2.015; and*
 - (b) *Identified by law enforcement as a missing person who may be in immediate danger due to circumstances which indicate an abduction or kidnapping;*
- (10) *"Missing child" means an individual who is:*
 - (a) *Below the age of majority pursuant to KRS 2.015;*
 - (b) *Identified by law enforcement as missing and who may be in immediate danger; and*
 - (c) *An individual with an intellectual disability or mental illness as defined in KRS 210.005;*
- ~~(11)(9)~~ "Officer" means any member of the Department of Kentucky State Police, other than an individual employed as a Trooper R Class or CVE R Class, who possesses the powers of a peace officer;
- ~~(12)(10)~~ "Secretary" means the secretary of Justice and Public Safety Cabinet; and
- ~~(13)(11)~~ "Trooper R Class" means any retired Kentucky State Police officer commissioned under this chapter who has become reemployed with the department on a contractual basis pursuant to KRS 16.196 to 16.199.

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 16.010 TO 16.199 IS CREATED TO READ AS FOLLOWS:

- (1) *The Department of Kentucky State Police, in cooperation with the Transportation Cabinet, the Division of Emergency Management, and media providers, shall create and operate a system to notify the public when any individual is determined to be a missing adult and the department determines that public notification might aid in the recovery of the individual. The system shall be known as the Kentucky Ashanti Alert System.*
- (2) *The system shall utilize existing resources, including but not limited to electronic highway signs, the Amber Alert System, the emergency broadcast system, law enforcement communications systems, and local, regional, and statewide media providers, as authorized and under conditions permitted by the federal government.*
- (3) *No public alert using the system shall be issued unless the department, in consultation with the law enforcement agency in the jurisdiction where the missing adult was reported, has determined the geographic area in which the notification shall be made, and has reasonable cause to believe:*
 - (a) *That the disappearance of the missing adult may not have been voluntary, including an abduction or kidnapping, or that the physical safety of the missing adult may be endangered; and*
 - (b) *That public notification is the most appropriate method of recovering the missing adult in a safe and efficient manner.*
- (4) *If it is determined by the department that public notification shall be initiated, the department shall notify and provide the public and private agencies and organizations that will provide the notification with the information that the department deems necessary.*
- (5) *All law enforcement agencies in the Commonwealth shall cooperate with the department in the provision and dissemination of information regarding any missing adult.*
- (6) *No law enforcement agency, other than the department, shall activate the notification system specified in this section without the authority of the department.*
- (7) *The system shall be operated by all agencies of the Commonwealth within existing budgetary appropriations.*

➔SECTION 3. A NEW SECTION OF KRS 16.010 TO 16.199 IS CREATED TO READ AS FOLLOWS:

- (1) *The Department of Kentucky State Police, in cooperation with the Transportation Cabinet, the Division of Emergency Management, and media providers, shall create and operate a system to notify the public when any individual is determined to be a missing child and the department determines that public notification might aid in the recovery of the individual. The system shall be known as the Kentucky Ian Alert System.*
- (2) *The system shall utilize existing resources, including but not limited to electronic highway signs, the Amber Alert System, the emergency broadcast system, law enforcement communications systems, and local, regional, and statewide media providers, as authorized and under conditions permitted by the federal government.*
- (3) *No public alert using the system shall be issued unless the department, in consultation with the law enforcement agency in the jurisdiction where the missing child was reported, has determined:*
 - (a) *That the physical safety of the missing child may be endangered;*
 - (b) *That public notification is the most appropriate method of recovering the missing child in a safe and efficient manner; and*
 - (c) *The geographic area in which the notification shall be made.*
- (4) *If it is determined by the department that public notification shall be initiated, the department shall notify and provide the public and private agencies and organizations that will provide the notification with the information that the department deems necessary.*
- (5) *All law enforcement agencies in the Commonwealth shall cooperate with the department in the provision and dissemination of information regarding any missing child.*
- (6) *No law enforcement agency, other than the department, shall activate the notification system specified in this section without the authority of the department.*
- (7) *The system shall be operated by all agencies of the Commonwealth within existing budgetary appropriations.*

Signed by Governor April 4, 2024.