

**CHAPTER 204****( SB 249 )**

AN ACT relating to sex offenders.

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

➔SECTION 1. A NEW SECTION OF KRS 17.500 TO 17.580 IS CREATED TO READ AS FOLLOWS:

(1) *As used in this section, "social media platform":*

(a) *Means a website or application that is open to the public, allows a user to create an account, and enables users to do all of the following:*

1. *Interact socially with other users within the confines of the website or application;*
2. *Construct a public or semipublic profile for the purpose of signing into and using the website or application;*
3. *Populate a list of other users with whom an individual shares or has the ability to share a social connection within the website or application; and*
4. *Create or post content viewable by others, including on message boards, chat rooms, video channels, direct or private messages, or chats, or on a landing page or main feed that presents the user with content generated by other users; and*

(b) *Does not include:*

1. *A broadband internet access service as defined by the Federal Communications Commission;*
2. *An electronic mail service;*
3. *A search engine service;*
4. *A cloud storage or cloud computing service;*
5. *An online service, application, or website in which interaction between users is limited to reviewing products offered for sale by electronic commerce or commenting on reviews posted by other users; or*
6. *An online service, application, or website:*
  - a. *That consists primarily of information or content that is not user-generated but is preselected by the provider; and*
  - b. *For which any chat, comments, or interactive functionality is incidental to, directly related to, or dependent upon the provision of the content described by subdivision a. of this subparagraph.*

(2) *A registrant who has committed a criminal offense against a victim who is a minor shall not create or have control of an account on a social media platform unless the account displays his or her full legal name.*

(3) *This section shall apply retroactively.*

(4) *Any person who violates subsection (2) of this section shall be guilty of a Class A misdemeanor for the first offense, and a Class D felony for a second or subsequent offense.*

**Signed by Governor April 17, 2024.**