

**194A.380 Definitions for KRS 194A.380 to 194A.383.**

As used in KRS 194A.380 to 194A.383:

- (1) "Criminal offense against a minor" means a conviction or a plea of guilty to any of the following offenses if the victim is under the age of eighteen (18) at the time of the commission of the offense:
  - (a) Kidnapping, as in KRS 509.040, except by a parent;
  - (b) Unlawful imprisonment, as in KRS 509.020, except by a parent;
  - (c) Sexual misconduct as in KRS 510.140;
  - (d) Use of a minor in a sexual performance, as in KRS 531.310;
  - (e) Promoting a sexual performance of a minor, as in KRS 531.320;
  - (f) Possession or viewing matter portraying a sexual performance by a minor, as in KRS 531.335;
  - (g) Distribution of matter portraying a sexual performance by a minor, as in KRS 531.340;
  - (h) Promoting the sale of material portraying a sexual performance by a minor, as in KRS 531.350;
  - (i) Advertising material portraying a sexual performance by a minor, as in KRS 531.360;
  - (j) Using minors to distribute material portraying a sexual performance by a minor, as in KRS 531.370;
  - (k) Human trafficking involving commercial sexual activity, as in KRS 529.100;
  - (l) Promoting prostitution, as in KRS 529.040, when the defendant advances or profits from the prostitution of a person under the age of eighteen (18);
  - (m) Unlawful transaction with a minor in the first degree, as in KRS 530.064(1)(a);
  - (n) Any attempt to commit any of the offenses described in paragraphs (a) to (m) of this subsection; or
  - (o) Solicitation to commit any of the offenses described in paragraphs (a) to (m) of this subsection;
- (2) "Local government" means a city, county, consolidated local government, urban-county government, unified local government, or charter county government;
- (3) "Local government youth day camp" means a camp operated by a local government for all or part of a day, whether free or for a fee, for five (5) or more children under eighteen (18) years of age outside the presence of their parent or guardian for recreational or educational purposes for four (4) or more consecutive hours per day during school vacation periods, school breaks, or school cancellations;
- (4) "Sex crime" means a conviction or a plea of guilty to any of the following offenses:
  - (a) Rape in the first degree as in KRS 510.040;
  - (b) Rape in the second degree as in KRS 510.050;
  - (c) Rape in the third degree as in KRS 510.060;

- (d) Sodomy in the first degree as in KRS 510.070;
  - (e) Sodomy in the second degree as in KRS 510.080;
  - (f) Sodomy in the third degree as in KRS 510.090;
  - (g) Sodomy in the fourth degree as in KRS 510.100;
  - (h) Sexual abuse in the first degree as in KRS 510.110;
  - (i) Sexual abuse in the second degree as in KRS 510.120;
  - (j) Sexual abuse in the third degree as in KRS 510.130;
  - (k) Indecent exposure in the first degree as in KRS 510.148;
  - (l) Indecent exposure in the second degree as in KRS 510.150;
  - (m) Unlawful use of electronic means originating or received within the Commonwealth to induce a minor to engage in sexual or other prohibited activities as in KRS 510.155; or
  - (n) Incest as in KRS 530.020;
- (5) "Staff member" means:
- (a) An individual who is employed by a youth camp or camp or a local government youth day camp for compensation;
  - (b) A contract employee or a self-employed individual whose employment directly involves the care or supervision of children or unsupervised access to children placed with a youth camp or camp or a local government youth day camp; or
  - (c) A volunteer or intern whose activities on behalf of a youth camp or camp or a local government youth day camp directly involves the care or supervision of children or unsupervised access to children placed with a youth camp or camp or a local government youth day camp;
- (6) "Violent offender" means any person who has been convicted of or who has entered a plea of guilty to the commission of a capital offense, Class A felony, Class B felony involving the death of the victim or serious physical injury to the victim, or rape in the first degree, or sodomy in the first degree; and
- (7) "Youth camp" or "camp" means:
- (a) Any camp required pursuant to KRS 211.180 to obtain a permit to operate; and
  - (b) Any program offered, whether free or for a fee, for recreational, educational, sports training, or vacation purposes to children under eighteen (18) years of age that a child attends outside the presence of his or her parent or legal guardian.

**Effective:** June 29, 2021

**History:** Amended 2021 Ky. Acts ch. 90, sec. 1, effective June 29, 2021. -- Created 2017 Ky. Acts ch. 115, sec. 4, effective July 1, 2018.