

**436.008 Construction of KRS 436.001 to 436.009.**

- (1) Nothing in KRS 436.001 to 436.009 shall be construed to impose liability on:
  - (a) An internet service provider, or its affiliates or subsidiaries;
  - (b) A general purpose search engine; or
  - (c) A cloud service provider;when acting in its capacity as a provider of those services to the extent the provider is not responsible for the creation of the content of the communication that constitutes matter harmful to minors.
- (2) Nothing in KRS 436.001 to 436.009 shall be construed to limit or bar any cause of action or preclude the imposition of sanctions or penalties, including criminal penalties, that would otherwise be available under state or federal law.
- (3) Compliance with KRS 436.001 to 436.009 shall not excuse any person from any other legal duties or preclude any person from any other legal remedies.
- (4) KRS 436.001 to 436.009 shall not subject a covered platform to any cause of action or liability to the extent it is protected from causes of action or liability by federal law, including but not limited to 47 U.S.C. sec. 230.
- (5) The provisions of KRS 436.001 to 436.009 shall not apply in cases to the extent the provisions would violate the Commerce Clause of the Constitution of the United States.

**Effective:** July 15, 2024

**History:** Created 2024 Ky. Acts ch. 106, sec. 17, effective July 15, 2024.