

**17.544 Restrictions on use of social media platform by registrants -- Retroactivity -
- Penalties.**

- (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.

Effective: July 15, 2024

History: Created 2024 Ky. Acts ch. 204, sec. 1, effective July 15, 2024.