

1 AN ACT relating to the sexual endangerment of a child and declaring an
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 510 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) As used in the section, "childhood sexual assault or abuse" means an act or*
7 *series of acts against a person less than eighteen (18) years old and which meets*
8 *the criteria defining a misdemeanor or felony in:*

9 *(a) This chapter;*

10 *(b) KRS 529.040 when the defendant advances or profits from the prostitution*
11 *of a minor;*

12 *(c) KRS 529.100 when the offense involves commercial sexual activity;*

13 *(d) KRS 529.110 when the offense involves commercial sexual activity;*

14 *(e) KRS 530.020 or 530.064(1)(a);*

15 *(f) KRS Chapter 531 involving a minor or depiction of a minor; or*

16 *(g) KRS 506.010 or 506.030 for attempt to commit or solicitation to commit any*
17 *of the offenses described in paragraphs (a) to (f) of this subsection.*

18 *(2) A person is guilty of sexual endangerment of a child when he or she wantonly:*

19 *(a) Engages in conduct that creates a substantial risk of childhood sexual*
20 *assault or abuse; or*

21 *(b) Fails to take reasonable steps to alleviate the substantial risk of childhood*
22 *sexual assault or abuse where there is a duty to act.*

23 *(3) Sexual endangerment of a child is a Class D felony.*

24 ➔Section 2. The restrictions of KRS 6.945(1) shall not apply to Section 1 of this
25 Act.

26 ➔Section 3. Whereas one in ten children experience child sexual abuse before
27 their eighteenth birthday, an emergency is declared to exist, and this Act takes effect upon

- 1 its passage and approval by the Governor or upon its otherwise becoming a law.