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

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

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

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

(a) This chapter;
(b) KRS 529.040 when the defendant advances or profits from the prostitution of a minor;
(c) KRS 529.100 when the offense involves commercial sexual activity;
(d) KRS 529.110 when the offense involves commercial sexual activity;
(e) KRS 530.020 or 530.064(1)(a);
(f) KRS Chapter 531 involving a minor or depiction of a minor; or
(g) KRS 506.010 or 506.030 for attempt to commit or solicitation to commit any of the offenses described in paragraphs (a) to (f) of this subsection.

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

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

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

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

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

Section 3. Whereas one in ten children experience child sexual abuse before 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.