

1 AN ACT relating to sex offender registrants.

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

3 ➔Section 1. KRS 17.545 (Effective July 15, 2020) is amended to read as follows:

4 (1) No registrant, as defined in KRS 17.500, shall reside within one thousand (1,000)
5 feet of a high school, middle school, elementary school, preschool, publicly owned
6 or leased playground, or licensed day care facility. The measurement shall be taken
7 in a straight line from the nearest property line to the nearest property line of the
8 registrant's place of residence.

9 (2) **(a)** No registrant, as defined in KRS 17.500, nor any person residing outside of
10 Kentucky who would be required to register under KRS 17.510 if the person
11 resided in Kentucky, shall be on the clearly defined grounds of a:

12 **1.** High school, middle school, elementary school, **or** preschool;~~;~~

13 **2.** Publicly owned or leased playground;~~;~~~~or~~

14 **3.** Licensed day care facility; **or**~~;~~

15 **4. Senior citizen center;**

16 except with the advance written permission of the school principal, the school
17 board, the local legislative body with jurisdiction over the publicly owned or
18 leased playground, ~~or~~ the day care director, **or the senior citizen center**
19 **director** that has been given after full disclosure of the person's status as a
20 registrant or sex offender from another state and all registrant information as
21 required in KRS 17.500.

22 **(b)** As used in this subsection, "local legislative body" means the chief governing
23 body of a city, county, urban-county government, consolidated local
24 government, charter county government, or unified local government that has
25 legislative powers.

26 (3) For purposes of this section:

27 (a) The registrant shall have the duty to ascertain whether any property listed in

- 1 subsection (1) of this section is within one thousand (1,000) feet of the
2 registrant's residence; and
- 3 (b) If a new facility opens, the registrant shall be presumed to know and, within
4 ninety (90) days, shall comply with this section.
- 5 (4) (a) Except as provided in paragraph (b) of this subsection, no registrant who is
6 eighteen (18) years of age or older and has committed a criminal offense
7 against a victim who is a minor shall have the same residence as a minor.
- 8 (b) A registrant who is eighteen (18) years of age or older and has committed a
9 criminal offense against a victim who is a minor may have the same residence
10 as a minor if the registrant is the spouse, parent, grandparent, stepparent,
11 sibling, stepsibling, or court-appointed guardian of the minor, unless the
12 spouse, child, grandchild, stepchild, sibling, stepsibling, or ward was a victim
13 of the registrant.
- 14 (c) This subsection shall not operate retroactively and shall apply only to a
15 registrant that committed a criminal offense against a victim who is a minor
16 after July 14, 2018.
- 17 (5) Any person who violates subsection (1) or (4) of this section shall be guilty of:
- 18 (a) A Class A misdemeanor for a first offense; and
19 (b) A Class D felony for the second and each subsequent offense.
- 20 (6) Any registrant residing within one thousand (1,000) feet of a high school, middle
21 school, elementary school, preschool, publicly owned playground, or licensed day
22 care facility on July 12, 2006, shall move and comply with this section within ninety
23 (90) days of July 12, 2006, and thereafter, shall be subject to the penalties set forth
24 under subsection (5) of this section.
- 25 (7) The prohibition against a registrant:
- 26 (a) Residing within one thousand (1,000) feet of a publicly leased playground as
27 outlined in subsection (1) of this section; or

1 (b) Being on the grounds of a publicly leased playground as outlined in subsection
2 (2) of this section;
3 shall not operate retroactively.

4 (8) This section shall not apply to a youthful offender probated or paroled during his or
5 her minority or while enrolled in an elementary or secondary education program.