

1 AN ACT relating to first responders.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 518 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section, "first responder" means:*

6 *(a) Coroners, or certified deputy coroners as defined in KRS 72.405;*

7 *(b) Local emergency management directors appointed under KRS 39B.020;*

8 *(c) Emergency medical services personnel, as defined in KRS 311A.010;*

9 *(d) Firefighters operating under KRS Chapter 67, 67A, 67C, 75, 95, 183, or*  
10 *273;*

11 *(e) Peace officers; and*

12 *(f) Rescue service personnel operating under KRS Chapter 39F.*

13 *(2) A first responder is guilty of unauthorized capture of photographic or*  
14 *videographic images by a first responder when he or she:*

15 *(a) Is operating in the line of duty or under color of authority;*

16 *(b) Arrives at the scene of an incident, accident, or crime; and*

17 *(c) Captures the photographic or videographic image of a deceased person by*  
18 *any means, for any purpose other than an official purpose related to his or*  
19 *her duties.*

20 *(3) Unauthorized capture of photographic or videographic images by a first*  
21 *responder is a Class A misdemeanor.*

22 *(4) For an offense under this section:*

23 *(a) Notwithstanding KRS 534.040, the court shall impose a fine of no less than*  
24 *five hundred dollars (\$500) nor more than two thousand five hundred*  
25 *dollars (\$2,500);*

26 *(b) The device containing the photograph or video shall be seized and subject to*  
27 *forfeiture; and*

1        (c) Any Kentucky agency that certifies or licenses the offender shall suspend  
2                    his or her professional certification or license for no less than six (6)  
3                    months nor more than one (1) year.