

1 AN ACT relating to crimes and punishments.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 17 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Domestic violence offender registry" means the registry for domestic*  
7 *violence established in subsection (2) of this section;*

8 *(b) "Domestic violence offense" means a crime under KRS Chapter 507, 508,*  
9 *509, or 525.070, when the victim was a family member or member of an*  
10 *unmarried couple as defined in KRS 403.720;*

11 *(c) "Cabinet" means the Justice and Public Safety Cabinet;*

12 *(d) "Offender" means any person eighteen (18) years of age or older at the*  
13 *time of the offense, or any youthful offender as defined in KRS 600.020,*  
14 *who has been:*

15 *1. Convicted of, pled guilty to, or entered an Alford plea to a domestic*  
16 *violence offense; or*

17 *2. Placed on pretrial diversion pursuant to KRS 533.250 for a domestic*  
18 *violence offense, until the diversionary period is successfully*  
19 *completed; and*

20 *(e) "Offender information" means the offender's name, age, county of*  
21 *residence, a brief description of the crime or crimes committed, current*  
22 *photograph, and other identifying information determined necessary by the*  
23 *department.*

24 *(2) The cabinet shall develop and operate a domestic violence offender registry for*  
25 *offenders.*

26 *(3) Once the cabinet has developed the domestic violence offender registry pursuant*  
27 *to subsection (2) of this section, an offender, upon his or her release by the court,*

1 the Parole Board, the cabinet, or any detention facility, shall be required to  
2 register for five (5) years with the cabinet. The person in charge of the release  
3 shall facilitate the registration process.

4 (4) Any person required to register pursuant to subsection (3) of this section shall be  
5 informed of the duty to register by the court at the time of sentencing if the court  
6 grants probation or conditional discharge or does not impose a penalty of  
7 incarceration, or if incarcerated, by the official in charge of the place of  
8 confinement upon release.

9 (5) (a) Once the cabinet has developed the domestic violence offender registry  
10 pursuant to subsection (2) of this section, the cabinet shall establish a Web  
11 site available to the public. The Web site shall display offender information  
12 and shall be updated at least once every thirty (30) days.

13 (b) Upon receiving notice from the court, the Parole Board, or any detention  
14 facility that an offender has been released and is required to register, the  
15 cabinet shall post the offender information provided by the court on the  
16 Web site.

17 (6) (a) If the residence address of any registrant changes, the registrant shall notify  
18 the cabinet no later than five (5) working days after the date of the change  
19 of address.

20 (b) For the purposes of this section, a post office box number shall not be  
21 considered an address.

22 (7) The cabinet shall promulgate administrative regulations to establish and operate  
23 the domestic violence offender registry, including but not limited to policies and  
24 procedures:

25 (a) For compiling, publishing, and maintaining offender information;

26 (b) For information as to how an individual may be removed from the registry;  
27 and

- 1        (c) To ensure compliance with all other state and federal laws.
- 2        (8) Any cabinet employee who disseminates, or does not disseminate, offender
- 3        information in good faith compliance with the requirements of this section shall
- 4        be immune from criminal and civil liability for the dissemination or lack thereof.