

1 AN ACT relating to sex offenders.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 17.500 TO 17.580 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, "social media platform":*

6 *(a) Means a website or application that is open to the public, allows a user to*
7 *create an account, and enables users to do all of the following:*

8 *1. Interact socially with other users within the confines of the website or*
9 *application;*

10 *2. Construct a public or semipublic profile for the purpose of signing*
11 *into and using the website or application;*

12 *3. Populate a list of other users with whom an individual shares or has*
13 *the ability to share a social connection within the website or*
14 *application; and*

15 *4. Create or post content viewable by others, including on message*
16 *boards, chat rooms, video channels, direct or private messages, or*
17 *chats, or on a landing page or main feed that presents the user with*
18 *content generated by other users; and*

19 *(b) Does not include:*

20 *1. A broadband internet access service as defined by the Federal*
21 *Communications Commission;*

22 *2. An electronic mail service;*

23 *3. A search engine service;*

24 *4. A cloud storage or cloud computing service;*

25 *5. An online service, application, or website in which interaction between*
26 *users is limited to reviewing products offered for sale by electronic*
27 *commerce or commenting on reviews posted by other users; or*

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6. An online service, application, or website:

- a. That consists primarily of information or content that is not user-generated but is preselected by the provider; and
- b. For which any chat, comments, or interactive functionality is incidental to, directly related to, or dependent upon the provision of the content described by subdivision a. of this subparagraph.

(2) A registrant who has committed a criminal offense against a victim who is a minor shall not create or have control of an account on a social media platform unless the account displays his or her full legal name.

(3) This section shall apply retroactively.

(4) Any person who violates subsection (2) of this section shall be guilty of a Class A misdemeanor for the first offense, and a Class D felony for a second or subsequent offense.