

1 AN ACT relating to sex offender registration.

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

3 ➔Section 1. KRS 17.500 is amended to read as follows:

4 As used in KRS 17.500 to 17.580:

5 (1) "Approved provider" means a mental health professional licensed or certified in  
6 Kentucky whose scope of practice includes providing mental health treatment  
7 services and who is approved by the Sex Offender Risk Assessment Advisory  
8 Board, under administrative regulations promulgated by the board, to provide  
9 comprehensive sex offender presentence evaluations or treatment to adults and  
10 youthful offenders, as defined in KRS 600.020;

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

12 (3) (a) Except as provided in paragraph (b) of this subsection, "criminal offense  
13 against a victim who is a minor" means any of the following offenses if the  
14 victim is under the age of eighteen (18) at the time of the commission of the  
15 offense:

- 16 1. Kidnapping, as set forth in KRS 509.040, except by a parent;
- 17 2. Unlawful imprisonment, as set forth in KRS 509.020, except by a  
18 parent;
- 19 3. Sex crime;
- 20 4. Promoting a sexual performance of a minor, as set forth in KRS  
21 531.320;
- 22 5. Human trafficking involving commercial sexual activity, as set forth in  
23 KRS 529.100;
- 24 6. Promoting human trafficking involving commercial sexual activity, as  
25 set forth in KRS 529.110;
- 26 7. Promoting prostitution, as set forth in KRS 529.040, when the defendant  
27 advances or profits from the prostitution of a person under the age of

- 1                   eighteen (18);
- 2                   8. Use of a minor in a sexual performance, as set forth in KRS 531.310;
- 3                   9. Sexual abuse, as set forth in KRS 510.120 and 510.130;
- 4                   10. Unlawful transaction with a minor in the first degree, as set forth in KRS
- 5                   530.064(1)(a);
- 6                   11. Any offense involving a minor or depictions of a minor, as set forth in
- 7                   KRS Chapter 531;
- 8                   12. Any attempt to commit any of the offenses described in subparagraphs
- 9                   1. to 11. of this paragraph;
- 10                  13. Solicitation to commit any of the offenses described in subparagraphs 1.
- 11                  to 11. of this paragraph; or
- 12                  14. Any offense from another state or territory, any federal offense, or any
- 13                  offense subject to a court martial of the United States Armed Forces,
- 14                  which is similar to any of the offenses described in subparagraphs 1. to
- 15                  13. of this paragraph.
- 16                  (b) Conduct which is criminal only because of the age of the victim shall not be
- 17                  considered a criminal offense against a victim who is a minor if the
- 18                  perpetrator was under the age of eighteen (18) at the time of the commission
- 19                  of the offense;
- 20                  (4) "Law enforcement agency" means any lawfully organized investigative agency,
- 21                  sheriff's office, police unit, or police force of federal, state, county, urban-county
- 22                  government, charter county, city, consolidated local government, or a combination
- 23                  of these, responsible for the detection of crime and the enforcement of the general
- 24                  criminal federal or state laws;
- 25                  (5) "Registrant" means:
- 26                  (a) Any person eighteen (18) years of age or older at the time of the offense or
- 27                  any youthful offender, as defined in KRS 600.020, who has committed:

- 1           1.    A sex crime; or
- 2           2.    A criminal offense against a victim who is a minor;~~[-or]~~
- 3           (b) Any person required to register under KRS 17.510;~~[-or]~~
- 4           (c) Any sexually violent predator; or
- 5           (d) Any person whose sexual offense has been diverted pursuant to KRS 533.250,
- 6                 until the diversionary period is successfully completed;

7   (6) "Registrant information" means:

8       **(a) The registrant's:**

- 9           **1.** ~~the~~Name, including any lawful name change together with the
- 10                 **registrant's** previous name;~~[-]~~
- 11           **2.** Social Security number;~~[-]~~
- 12           **3.** Age;~~[-]~~
- 13           **4.** Race;~~[-]~~
- 14           **5.** Sex;~~[-]~~
- 15           **6.** Date of birth;~~[-]~~
- 16           **7.** Height, weight, **and** hair and eye color;~~[-]~~
- 17           **8.** Fingerprints, palm prints, DNA sample, **and** a photograph;~~[-]~~
- 18           **9.** Aliases used;~~[-]~~
- 19           **10.** Residence; **and**~~[-]~~
- 20           **11.** Motor vehicle operator's license number as well as any other
- 21                 government-issued identification card numbers, if any;~~[-]~~

22   **(b)** A brief description of the crime or crimes committed;~~[-and]~~

23   **(c) The name and address of any place where the registrant is or will be:**

- 24           **1. A student; and**
- 25           **2. An employee or, if the registrant is or will be employed with no fixed**
- 26                 **place of employment, other information describing where the**
- 27                 **registrant works or will work with the definiteness possible under the**

1 circumstances;

2 (d) Information about and copies of:

3 1. Each passport the registrant has; and

4 2. Any document establishing the registrant's immigration status,  
 5 including immigration document type and number, if the registrant is  
 6 an alien as defined in 8 U.S.C. sec. 1101(a)(3);

7 (e) For a vehicle, including watercraft, aircraft, and motor vehicles owned or  
 8 routinely operated by the registrant:

9 1. The license plate number, or if a vehicle has no license plate, the  
 10 registration number or other identifier;

11 2. A description of the vehicle, including the make, model, year  
 12 manufactured, and color; and

13 3. An address or other information describing the location where the  
 14 vehicle is habitually parked, docked, or otherwise kept;

15 (f) Information concerning all professional licenses of the registrant that  
 16 authorize the registrant to engage in an occupation or carry out a trade or  
 17 business;

18 (g) Designations the registrant uses for purposes of routing or self-  
 19 identification in communications, including social media posting; and

20 (h) Other information the cabinet determines, by administrative regulation, may  
 21 be useful in the identification of registrants;

22 (7) "Residence" means any place where a person sleeps. For the purposes of this  
 23 statute, a registrant may have more than one (1) residence. A registrant is required  
 24 to register each residence address;

25 (8) "Sex crime" means:

26 (a) A felony offense defined in KRS Chapter 510, KRS 529.100 or 529.110  
 27 involving commercial sexual activity, 530.020, 530.064(1)(a), 531.310,

1 531.320, 531.335, 531.340, 531.365, 531.366, 531.367, or 531.368;

2 (b) A felony attempt to commit a felony offense specified in paragraph (a) of this  
3 subsection; or

4 (c) A federal felony offense, a felony offense subject to a court-martial of the  
5 United States Armed Forces, or a felony offense from another state or a  
6 territory where the felony offense is similar to a felony offense specified in  
7 paragraph (a) of this subsection;

8 (9) "Sexual offender" means any person convicted of, pleading guilty to, or entering an  
9 Alford plea to a sex crime as defined in this section, as of the date the verdict is  
10 entered by the court;

11 (10) "Sexually violent predator" means any person who has been subjected to  
12 involuntary civil commitment as a sexually violent predator, or a similar  
13 designation, under a state, territory, or federal statutory scheme;

14 (11) "The board" means the Sex Offender Risk Assessment Advisory Board created  
15 under KRS 17.554;

16 (12) "Victim" has the same meaning as in KRS 421.500;

17 (13) "DNA sample" or "deoxyribonucleic acid sample" means a blood or swab specimen  
18 from a person, as prescribed by administrative regulation, that is required to provide  
19 a DNA sample pursuant to KRS 17.170 or 17.510, that shall be submitted to the  
20 Department of Kentucky State Police forensic laboratory for law enforcement  
21 identification purposes and inclusion in law enforcement identification databases;  
22 and

23 (14) "Authorized personnel" means an agent of state government who is properly trained  
24 in DNA sample collection pursuant to administrative regulation.

25 ➔Section 2. KRS 17.510 is amended to read as follows:

26 (1) The cabinet shall develop and implement a registration system for registrants which  
27 includes creating a new computerized information file to be accessed through the

1 Law Information Network of Kentucky.

2 (2) A registrant shall, on or before the date of his or her release by the court, the parole  
3 board, the cabinet, or any detention facility, register with the appropriate local  
4 probation and parole office in the county in which he or she intends to reside. The  
5 person in charge of the release shall facilitate the registration process.

6 (3) Any person required to register pursuant to subsection (2) of this section shall be  
7 informed of the duty to register by the court at the time of sentencing if the court  
8 grants probation or conditional discharge or does not impose a penalty of  
9 incarceration, or if incarcerated, by the official in charge of the place of  
10 confinement upon release. The court and the official shall require the person to read  
11 and sign any form that may be required by the cabinet, stating that the duty of the  
12 person to register has been explained to the person. The court and the official in  
13 charge of the place of confinement shall require the releasee to complete the  
14 acknowledgment form and the court or the official shall retain the original  
15 completed form. The official shall then send the form to the Sex Offender Registry  
16 Section, Department of Kentucky State Police, Frankfort, Kentucky 40601.

17 (4) (a) The court or the official shall order the person to register with the appropriate  
18 local probation and parole office which shall obtain the person's **registrant**  
19 **information**~~[fingerprints, palm prints, DNA sample, photograph, and a copy~~  
20 ~~of his or her motor vehicle operator's license as well as any other government-~~  
21 ~~issued identification cards, if any].~~

22 (b) Thereafter, the registrant shall return to the appropriate local probation and  
23 parole office **as required in subsection (14) of this section**~~[not less than one~~  
24 ~~(1) time every two (2) years in order for a new photograph to be obtained],~~  
25 and the registrant shall pay the cost of updating the photo for registration  
26 purposes.

27 (c) Any registrant who has not provided palm prints, a copy of his or her motor

1 vehicle operator's license, or a copy of any other government-issued  
2 identification cards, if any, as of July 14, 2018, shall provide the information  
3 to the appropriate local probation and parole office when the registrant **reports**  
4 **as required under subsection (14) of this section**~~[appears]~~ for a new  
5 photograph to be obtained.

6 **(d)** Any change to a registrant's **information**~~[motor vehicle operator's license~~  
7 ~~number or any other government issued identification card]~~ after the  
8 registrant **reports as required under subsection (14) of this section**~~[appears]~~  
9 for a new photograph shall be registered in accordance with subsection (11) of  
10 this section.~~[Failure to comply with this requirement shall be punished as set~~  
11 ~~forth in subsection (12) of this section.]~~

12 (5) (a) The appropriate probation and parole office shall send the registration form  
13 containing the registrant information~~[, fingerprints, palm prints, photograph,~~  
14 ~~and a copy of his or her motor vehicle operator's license as well as any other~~  
15 ~~government issued identification cards, if any,]~~ and any special conditions  
16 imposed by the court or the Parole Board, to the Sex Offender Registry  
17 Section, Department of Kentucky State Police, Frankfort, Kentucky 40601.  
18 The appropriate probation and parole office shall send the DNA sample to the  
19 Department of Kentucky State Police forensic laboratory in accordance with  
20 administrative regulations promulgated by the cabinet.

21 (b) The Sex Offender Registry Section, upon request by a state or local law  
22 enforcement agency, shall make available to that agency registrant  
23 information, including a person's fingerprints and photograph, where  
24 available, as well as any special conditions imposed by the court or the Parole  
25 Board.

26 (c) Any employee of the Justice and Public Safety Cabinet who disseminates, or  
27 does not disseminate, registrant information in good-faith compliance with the

1 requirements of this subsection shall be immune from criminal and civil  
2 liability for the dissemination or lack thereof.

3 (6) (a) Except as provided in paragraph (b) of this subsection, any person who has  
4 been convicted in a court of any state or territory, a court of the United States,  
5 *the District of Columbia, or any federally recognized Indian tribe,* or a  
6 similar conviction from a court of competent jurisdiction in any other country,  
7 or a court martial of the United States Armed Forces of a sex crime or  
8 criminal offense against a victim who is a minor and who has been notified of  
9 the duty to register by that state, territory, or court, or who has been  
10 committed as a sexually violent predator under the laws of another state, laws  
11 of a territory, or federal laws, or has a similar conviction from a court of  
12 competent jurisdiction in any other country, shall comply with the registration  
13 requirement of this section, including the requirements of subsection (4) of  
14 this section, and shall register with the appropriate local probation and parole  
15 office in the county of residence within *three (3)*~~*five (5)*~~ working days of  
16 relocation. No additional notice of the duty to register shall be required of any  
17 official charged with a duty of enforcing the laws of this Commonwealth.

18 (b) No person shall be required to register under this subsection for a juvenile  
19 adjudication if such an adjudication in this Commonwealth would not create a  
20 duty to register. This paragraph shall be retroactive.

21 (7) (a) Except as provided in paragraph ~~*(c)*~~~~*(b)*~~ of this subsection, if a person is  
22 required to register under federal law or the laws of another state or territory,  
23 or if the person has been convicted of an offense in a court of the United  
24 States, *the District of Columbia, or any federally recognized Indian tribe or*  
25 in a court martial of the United States Armed Forces, or under the laws of  
26 another state or territory that would require registration if committed in this  
27 Commonwealth, that person upon changing residence from the other state or



1 territory of the United States to the Commonwealth or upon entering the  
 2 Commonwealth for employment, to carry on a vocation, or as a student shall  
 3 comply with the registration requirement of this section, including the  
 4 requirements of subsection (4) of this section, and shall register within ***three***  
 5 ~~(3)[five-(5)]~~ working days with the appropriate local probation and parole  
 6 office in the county of residence, employment, vocation, or schooling. A  
 7 person required to register under federal law or the laws of another state or  
 8 territory shall be presumed to know of the duty to register in the  
 9 Commonwealth.

10 ***(b)*** As used in this subsection: ~~[,]~~

11 ***1.*** "Employment" or "carry on a vocation" includes employment that is  
 12 full-time or part-time for a period exceeding fourteen (14) days or for an  
 13 aggregate period of time exceeding thirty (30) days during any calendar  
 14 year, whether financially compensated, volunteered, or for the purpose  
 15 of government or educational benefit; ***and*** ~~[,]~~

16 ***2.*** ~~[As used in this subsection,]~~ "Student" means a person who is enrolled  
 17 on a full-time or part-time basis, in any public or private educational  
 18 institution, including any secondary school, trade or professional  
 19 institution, or institution of higher education.

20 ~~***(c)***~~ ~~***(b)***~~ No person shall be required to register under this subsection for a  
 21 juvenile adjudication if such an adjudication in this Commonwealth would not  
 22 create a duty to register. This paragraph shall be retroactive.

23 (8) The registration form shall be a written statement signed by the person which shall  
 24 include registrant information, including an up-to-date photograph of the registrant  
 25 for public dissemination.

26 (9) For purposes of KRS 17.500 to 17.580 and 17.991, a post office box number shall  
 27 not be considered an address.

- 1 (10) (a) If a registrant does not have an established and fixed residence of regular  
 2 return, he or she shall report in person no less than every thirty (30) days to  
 3 the local probation and parole office in the county in which he or she is  
 4 present and register the approximate area where he or she can be located.
- 5 (b) If the registrant changes his or her location, employer or employer address, or  
 6 school or school address to a new county, the person shall notify his or her  
 7 current local probation and parole office of the new location on or before the  
 8 date of the change of location.
- 9 (c) The registrant shall also report in person to the appropriate local probation and  
 10 parole office in the county of his or her new location no later than three  
 11 (3)[five (5)] working days after the date of the change of location.
- 12 (11) (a) If the residence, employer, or school address of any registrant changes, but  
 13 the registrant remains in the same county, the person shall appear in person to  
 14 register, on or before the date of the change of address, with the appropriate  
 15 local probation and parole office in the county in which he or she resides.
- 16 (b) 1. If the registrant changes his or her residence, employer, or school to a  
 17 new county, the person shall notify his or her current local probation and  
 18 parole office of the new residence, employer, or school address on or  
 19 before the date of the change of address.
- 20 2. The registrant shall also appear in person to register with the  
 21 appropriate local probation and parole office in the county of his or her  
 22 new residence, employer, or school no later than three (3)[five (5)]  
 23 working days after the date of the change of address.
- 24 (c) If the registrant's information, other than the registrant information list  
 25 under subsection (10)(b) and (c) of this section or paragraph (a) and (b) of  
 26 this subsection, changes, ~~±~~  
 27 1. ~~Motor vehicle operator's license number or any other government issued~~

1                    ~~identification card number of any registrant changes; or~~  
 2                    ~~2. Registrant obtains for the first time a motor vehicle operator's license~~  
 3                    ~~number or any other government issued identification card number;~~  
 4                    ~~—~~the registrant shall register the change or addition no later than ***three (3)***~~five~~  
 5                    ~~(5)~~ working days after the date of the change or the date of the addition, with  
 6                    the appropriate local probation and parole office in the county in which he or  
 7                    she resides.

8                    (d) 1. As soon as a probation and parole office learns of the person's new  
 9                    address under paragraph (b)1. of this subsection, that probation and  
 10                    parole office shall notify the appropriate local probation and parole  
 11                    office in the county of the new address of the effective date of the new  
 12                    address.

13                    2. As soon as a probation and parole office learns of the person's new  
 14                    address under paragraph (b)2. of this subsection, that office shall  
 15                    forward this information as set forth under subsection (5) of this section.

16                    (e) 1. A registrant shall register the following information with the appropriate  
 17                    local probation and parole office no less than twenty-one (21) days  
 18                    before traveling outside of the United States:

19                    a. His or her passport number and country of issue;

20                    b. The dates of departure, travel, and return; and

21                    c. The foreign countries, colonies, territories, or possessions that the  
 22                    registrant will visit.

23                    2. The registrant shall register the following information with the  
 24                    appropriate local probation and parole office no later than ***three (3)***~~five~~  
 25                    ~~(5)~~ working days after the date of his or her return from traveling  
 26                    outside of the United States:

27                    a. The date he or she departed, traveled, and returned; and

1                   b. The foreign countries, colonies, territories, or possessions that the  
2                   registrant visited.

3 (12) Any person required to register under this section who knowingly violates any of  
4 the provisions of this section or prior law is guilty of a Class D felony for the first  
5 offense and a Class C felony for each subsequent offense.

6 (13) Any person required to register under this section or prior law who knowingly  
7 provides false, misleading, or incomplete information is guilty of a Class D felony  
8 for the first offense and a Class C felony for each subsequent offense.

9 (14) (a) **Any person required to register under this section shall appear in person**  
10 **and allow the appropriate local probation and parole office to take a current**  
11 **photograph and**~~the cabinet shall~~ verify the **person's** addresses, names, motor  
12 vehicle operator's license numbers, ~~and~~ government-issued identification  
13 card, **and other registrant information** ~~numbers of individuals required to~~  
14 ~~register under this section~~. **In-person reporting**~~Verification~~ shall occur at  
15 least once every ninety (90) days for a person required to register under KRS  
16 17.520(2), **semiannually**~~at least once every calendar year~~ for a person  
17 required to register under KRS 17.520(3), and at least once every thirty (30)  
18 days for a person who does not have an established and fixed residence of  
19 regular return.

20 (b) If the cabinet determines that a person has:  
21 1. Moved without providing his or her new address;  
22 2. Failed to notify the local probation and parole office of his or her  
23 presence in a new county without an established and fixed residence of  
24 regular return; or  
25 3. **Other registrant information**~~A new name, motor vehicle operator's~~  
26 ~~license number, or government issued identification card number~~ that  
27 he or she has not provided;

1 to the appropriate local probation and parole office or offices as required  
 2 under subsection (11)(a), (b), and (c) of this section, the cabinet shall notify  
 3 the appropriate local probation and parole office of the new registrant  
 4 information~~[address, name, motor vehicle operator's license number, or~~  
 5 ~~government-issued identification card number used by the person]~~. The office  
 6 shall then forward this information as set forth under subsection (5) of this  
 7 section. The cabinet shall also notify the appropriate court, Parole Board, and  
 8 appropriate Commonwealth's attorney, sheriff's office, probation and parole  
 9 office, corrections agency, and law enforcement agency responsible for the  
 10 investigation of the report of noncompliance.

11 (c) An agency that receives notice of the noncompliance from the cabinet under  
 12 paragraph (a) of this subsection:

- 13 1. Shall consider revocation of the parole, probation, postincarceration  
 14 supervision, or conditional discharge of any person released under its  
 15 authority; and
- 16 2. Shall notify the appropriate county or Commonwealth's Attorney for  
 17 prosecution.

18 (15) The provisions of subsections (10) and (14) of this section relating to registrants  
 19 who do not have an established and fixed residence of regular return shall apply to  
 20 any person required to register on or after January 1, 2024.

21 ➔Section 3. KRS 17.520 is amended to read as follows:

22 (1) A registrant, upon his or her release by the court, the Parole Board, the cabinet, or  
 23 any detention facility, shall be required to register for a period of time required  
 24 under this section.

25 (2) ~~{(a)}~~ Lifetime registration is required for:

26 (a)~~{1-}~~ Any person who has been convicted of kidnapping, as set forth in KRS  
 27 509.040, when the victim is under the age of eighteen (18) at the time of the

1 commission of the offense, except when the offense is committed by a parent;

2 ~~(b)[2-]~~ Any person who has been convicted of unlawful imprisonment, as set  
3 forth in KRS 509.020, when the victim is under the age of eighteen (18) at the  
4 time of the commission of the offense, except when the offense is committed  
5 by a parent;

6 ~~(c)[3-]~~ Any person convicted of a sex crime:

7 ~~1.[a-]~~ Who has one (1) or more prior convictions of a felony criminal offense  
8 against a victim who is a minor; or

9 ~~2.[b-]~~ Who has one (1) or more prior sex crime convictions;

10 ~~(d)[4-]~~ Any person who has been convicted of two (2) or more felony criminal  
11 offenses against a victim who is a minor;

12 ~~(e)[5-]~~ Any person who has been convicted of:

13 ~~1.[a-]~~ Any degree of rape under KRS Chapter 510~~[Rape in the first degree~~  
14 ~~under KRS 510.040];[ or]~~

15 ~~2.[b-]~~ Any degree of sodomy under KRS Chapter 510~~[Sodomy in the first~~  
16 ~~degree under KRS 510.070];[ and]~~

17 ~~3.~~ Incest under KRS 530.020(b) or (c);

18 ~~4.~~ Sexual abuse in the first degree under KRS 510.110(1)(b)2.; or

19 ~~5.~~ Any felony attempt to commit, conspiracy to commit, or solicitation to  
20 commit any of the offenses described in subparagraphs 1. to 4. of this  
21 paragraph; and

22 ~~(f)[6-]~~ Any sexually violent predator.

23 (3) All other registrants are required to register for twenty-five (25)~~[twenty (20)]~~ years  
24 following discharge from confinement or twenty-five (25)~~[twenty (20)]~~ years  
25 following the maximum discharge date on probation, shock probation, conditional  
26 discharge, parole, or other form of early release, whichever period is greater.

27 (4) If a person required to register under this section is reincarcerated for another

1 offense or as the result of having violated the terms of probation, parole,  
2 postincarceration supervision, or conditional discharge, the registration  
3 requirements and the remaining period of time for which the registrant shall register  
4 are tolled during the reincarceration.

5 (5) A person who has pled guilty, entered an Alford plea, or been convicted in a court  
6 of another state or territory, in a court of the United States, *the District of*  
7 *Columbia, or any federally recognized Indian tribe,* or in a court-martial of the  
8 United States Armed Forces who is required to register in Kentucky shall be subject  
9 to registration in Kentucky based on the conviction in the foreign jurisdiction. The  
10 Justice and Public Safety Cabinet shall promulgate administrative regulations *in*  
11 *accordance with KRS Chapter 13A* to carry out the provisions of this subsection.

12 (6) The court shall designate the registration period as mandated by this section in its  
13 judgment and shall cause a copy of its judgment to be mailed to the Information  
14 Services Center, Department of Kentucky State Police, Frankfort, Kentucky 40601.  
15 *If the court fails to designate the registration period as required under this*  
16 *section, the Department of Kentucky State Police shall determine the registration*  
17 *period as required under this section.*

18 ➔Section 4. KRS 17.546 is amended to read as follows:

19 (1) (a) As used in this subsection, "electronic communications" means any transfer of  
20 information, including signs, signals, data, writings, images, sounds, text,  
21 voice, and video, transmitted primarily through the use of electrons or  
22 electromagnetic waves or particles.

23 (b) Except as provided in paragraph (c) of this subsection, a registrant who has  
24 committed a criminal offense against a victim who is a minor after July 14,  
25 2018, shall not knowingly or intentionally use electronic communications for  
26 communicating with or gathering information about a person who is less than  
27 eighteen (18) years of age.

- 1 (c) It is not a violation of paragraph (b) of this subsection for a registrant to use  
2 electronic communications to communicate with or gather information about  
3 a person under the age of eighteen (18) years of age if:
- 4 1. *The registrant is a youthful offender who is:*
- 5 *a. Probated or paroled while he or she is under the age of eighteen*  
6 *(18);*
- 7 *b. Enrolled in an elementary or secondary school education*  
8 *program;*
- 9 *c. Using the electronic communications as a reasonably necessary*  
10 *part of the youthful offender's education with the elementary or*  
11 *secondary school education program; and*
- 12 *d. Not prohibited by court order, or the terms of probation, shock*  
13 *probation, conditional discharge, parole, or any other form of*  
14 *early release, from communicating with or gathering*  
15 *information about a person; or*
- 16 2. The registrant is the parent of the person[;] and~~[2. The registrant is]~~ not  
17 prohibited by court order, or the terms of probation, shock probation,  
18 conditional discharge, parole, or any other form of early release, from  
19 communicating with or gathering information about a person.
- 20 (2) No registrant shall intentionally photograph, film, or video a minor through  
21 traditional or electronic means without the written consent of the minor's parent,  
22 legal custodian, or guardian unless the registrant is the minor's parent, legal  
23 custodian, or guardian. The written consent required under this subsection shall  
24 state that the person seeking the consent is required to register as a sex offender  
25 under Kentucky law.
- 26 (3) Any person who violates subsection (1) or (2) of this section shall be guilty of a  
27 Class A misdemeanor.



1        ➔Section 5. KRS 17.580 is amended to read as follows:

2        (1) The Department of Kentucky State Police shall establish a website~~[Web site]~~  
3        available to the public. The website~~[Web site]~~ shall display:

4        (a) The registrant information, except for information that identifies a victim,  
5        DNA samples, fingerprints, palm prints, Social Security numbers, motor  
6        vehicle operator's license numbers, the names and addresses where the  
7        registrant is a student, information and copies of passports or documents  
8        establishing the registrant's immigration status, the registrant's occupation,  
9        trade, and business licenses, the registrant's designations used for purposes  
10       of routing or self-identification in internet or telephonic communications,  
11       and government-issued identification card numbers obtained by the  
12       Information Services Center, Department of Kentucky State Police, under  
13       KRS 17.510;

14       (b) The registrant~~[sex-offender]~~ information, except for information that  
15       identifies a victim, DNA samples, Social Security numbers, the names and  
16       addresses where the registrant is a student or employed, information and  
17       copies of passports or documents establishing the registrant's immigration  
18       status, the registrant's occupation, trade, and business licenses, the  
19       registrant's designations used for purposes of routing or self-identification  
20       in internet or telephonic communications, and vehicle registration data,  
21       obtained by the Information Services Center, Department of Kentucky State  
22       Police, under KRS 17.510 prior to April 11, 2000;~~[and]~~

23       (c) The registrant's conviction, the elements of the offense for which the  
24       registrant was convicted, whether the registrant is currently on probation or  
25       parole, and whether the registrant is compliant or noncompliant; and

26       (d) On or before January 1, 2027, in addition to the registrant information  
27       required under this subsection, the registrant information required in

1                    subsection (6)(c)2. and (e) of Section 1 of this Act.

2            The website~~[Web site]~~ shall be updated every day except for Saturdays, Sundays,  
3            and state holidays.

4            (2) The information pertaining to an individual shall be maintained on the website~~[Web~~  
5            ~~site]~~ so long as that individual is registered in accordance with KRS 17.500 to  
6            17.580.

7            (3) The following language shall be prominently displayed on the website~~[Web site]~~:  
8            "UNDER KRS 525.070 AND 525.080, USE OF INFORMATION OBTAINED  
9            FROM THIS WEBSITE~~[WEB SITE]~~ TO HARASS A PERSON IDENTIFIED ON  
10            THIS WEBSITE~~[WEB SITE]~~ IS A CRIMINAL OFFENSE PUNISHABLE BY UP  
11            TO NINETY (90) DAYS IN THE COUNTY JAIL. MORE SEVERE CRIMINAL  
12            PENALTIES APPLY FOR MORE SEVERE CRIMES COMMITTED AGAINST  
13            A PERSON IDENTIFIED ON THIS WEBSITE~~[WEB SITE]~~."

14            (4) (a) Any Department of Kentucky State Police employee who disseminates, or  
15            does not disseminate, registrant information~~[or sex offender information]~~ in  
16            good-faith compliance with the requirements of this section shall be immune  
17            from criminal and civil liability for the dissemination or lack thereof.

18            (b) Any person, including an employee of a sheriff's office, acting in good faith in  
19            disseminating, or not disseminating, information previously disseminated by  
20            the Department of Kentucky State Police shall be immune from criminal and  
21            civil liability for the dissemination or lack thereof.

22            ~~(5) [The cabinet shall establish a toll-free telephone number for a person to call to learn~~  
23            ~~the identity of the Web site created in this section and the location of public access~~  
24            ~~to the Web site in the county where the person resides.~~

25            ~~(6)~~ In addition to the website~~[Web site]~~, a local law enforcement agency may provide  
26            personal notification regarding the registrants located in its jurisdiction. Any  
27            notification shall contain the warning specified in subsection (3) of this section.