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1	AN ACT relating to legislative ethics.
2	Be it enacted by the General Assembly of the Commonwealth of Kentucky:
3	→SECTION 1. A NEW SECTION OF KRS 6.601 TO 6.849 IS CREATED TO
4	READ AS FOLLOWS:
5	(1) A legislator or legislative agent shall not intentionally engage in sexual
6	harassment of any legislator, legislative agent, or employee of the legislative
7	branch of state government.
8	(2) Violation of subsection (1) of this section by a legislator or legislative agent is
9	ethical misconduct.
10	(3) As used in this section, "sexual harassment":
11	(a) Means any sexual advance, request for sexual favors, or other verbal or
12	physical conduct or communication of a sexual nature if:
13	1. Submission to the advances, requests, conduct, or communication is
14	an explicit or implicit term or condition of obtaining or retaining
15	employment;
16	2. Submission to or the rejection of advances, requests, conduct, or
17	communication affects decisions concerning a person's employment;
18	3. The conduct or communication has the purpose or the effect of:
19	a. Unreasonably interfering with the person's ability to perform his
20	or her job functions; or
21	b. Creating a hostile work environment; or
22	c. The conduct or communication is sexual harassment as defined
23	<u>in:</u>
24	i. KRS Chapter 344;
25	ii. Title VII of the Civil Rights Act of 1964;
26	iii. State or federal case law;
27	iv. A policy or regulation enforced by the federal Equal

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1		<u>Em</u>	<u>iploymei</u>	nt Op	portunity C	ommission,	or		
2		<u>v.</u> A	policy	or	regulation	enforced	<u>by</u>	the	Kentucky
3		Co	mmissio	n on	Human Rig	hts;			
4	(b) Includes b	ut is not l	limited to	the_	following co	onduct or c	<u>omm</u>	unica	tion:
5	1. Unwanted sexual contact or conduct of any kind, including sexual								
6	<u>flirtat</u>	tions, tou	iching, i	advai	nces, action	s, proposit	ions,	inter	course, or
7	assau	ılt;							
8	2. Unw	elcome v	erbal con	mmu	nication of	a sexual no	ature,	incli	ıding lewd
9	comn	nents or	innuen	do,	sexual joke	es or refe	rence	s, or	offensive
10	<u>refer</u>	ences;							
11	3. Dem	eaning, i	nsulting,	intir	nidating, or	sexually s	sugge	stive	comments
12	or be	havior di	irected a	t a p	erson or in	the presenc	e of	any p	erson in a
13	<u>publi</u>	c or priva	ite setting	<u>g;</u>					
14	4. The	display in	the wo	rkpla	ce of demea	ning, insul	ting,	<u>intim</u>	idating, or
15	sexuo	ally sugge	estive obj	iects,	pictures, or	photograp	hs;		
16	5. Dem	eaning, 1	insulting	, int	imidating, o	or sexually	, sug	gestiv	ve written,
17	recor	ded, or el	lectronic	ally t	ransmitted i	messages; o	<u>or</u>		
18	6. Othe	r conduc	t or com	mun	ication not	specifically	desc	ribed	but which
19	<u>is su</u>	<u>bstantiall</u>	y similar	to ti	he conduct	or commu	<u>nicati</u>	on de	escribed in
20	this s	ubsection	; and						
21	(c) Includes a	single i	ncident (descr	ibed in this	subsection	if it	is lir	iked to an
22	employme	nt benefit	or is sev	ere.					