

1 AN ACT relating to the creation of an animal abuse registry and making an
2 appropriation therefor.

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

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

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

7 *(a) "Animal abuse offender registry" means the registry for animal abuse*
8 *established under subsection (2) of this section;*

9 *(b) "Animal abuse offense" means a violation of KRS 525.125, 525.130,*
10 *525.135, 525.200, or 525.205;*

11 *(c) "Department" means the Department of Kentucky State Police;*

12 *(d) "Offender" means any person who has been convicted of or entered a guilty*
13 *plea or Alford plea to an animal abuse offense; and*

14 *(e) "Offender information" means the offender's name, age, county of*
15 *residence, current photograph, a description of the crime or crimes*
16 *committed, and other identifying information determined necessary by the*
17 *department.*

18 *(2) The department shall develop and operate an animal abuse offender registry for*
19 *offenders.*

20 *(3) Once the department has developed the animal abuse offender registry pursuant*
21 *to subsection (2) of this section, an offender, upon his or her release by the court,*
22 *Parole Board, Department of Corrections, Department of Juvenile Justice, or any*
23 *detention facility, shall be required to register for five (5) years with the*
24 *department. The person in charge of the release shall facilitate the registration*
25 *process.*

26 *(4) Any person required to register pursuant to subsection (3) of this section shall be*
27 *informed of the duty to register by the court at the time of sentencing if the court*

1 grants probation or conditional discharge or does not impose a penalty of
2 incarceration, or if incarcerated, by the official in charge of the place of
3 confinement upon release.

4 (5) (a) Except as provided in paragraph (b) of this subsection, any person required
5 to register pursuant to subsection (3) of this section shall be required to pay
6 an annual registration fee of one hundred dollars (\$100) to the department.
7 The fee shall be deposited by the department into the animal abuse offender
8 registry fund established in Section 2 of this Act.

9 (b) The department shall waive the annual registration fee if the registrant is
10 found by a court of competent jurisdiction to be an indigent person as
11 defined in KRS 31.100.

12 (c) The registrant shall not be prevented from registering because of failure to
13 pay the registration fee.

14 (6) (a) Once the department has developed the animal abuse offender registry
15 pursuant to subsection (2) of this section, the department shall establish a
16 Web site available to the public. The Web site shall display offender
17 information and shall be updated at least once every thirty (30) days.

18 (b) Upon receiving notice from the court of conviction that an offender is
19 required to register, the department shall post the offender information
20 provided by the court on the Web site, and shall provide the offender
21 information to each county sheriff and local school district superintendent.

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

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

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

27 (c) To ensure compliance with all other state and federal laws.

1 (8) Any department employee who disseminates, or does not disseminate, offender
2 information in good faith compliance with the requirements of this section shall
3 be immune from criminal and civil liability for the dissemination or lack thereof.

4 (9) Any person required to register under this section who knowingly violates any of
5 the provisions of this section is guilty of a Class A misdemeanor.

6 (10) Any person required to register under this section who knowingly provides false,
7 misleading, or incomplete information is guilty of a Class A misdemeanor.

8 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 17 IS CREATED TO
9 READ AS FOLLOWS:

10 (1) The animal abuse offender registry fund is created as a restricted fund that shall
11 consist of moneys deposited pursuant to Section 1 of this Act and shall be used
12 for the purposes set forth in subsection (3) of this section. The Department of
13 Kentucky State Police shall administer the fund.

14 (2) Notwithstanding KRS 45.229, any moneys in the fund shall not lapse but shall be
15 carried forward to the next fiscal year. In addition, any interest earned on moneys
16 in the fund shall become part of the fund and shall not lapse.

17 (3) All funds in the animal abuse offender registry fund are hereby appropriated to
18 the Department of Kentucky State police to develop and operate the animal abuse
19 offender registry in accordance with Section 1 of this Act.