

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*

- 1 **6. An online service, application, or website:**
- 2 **a. That consists primarily of information or content that is not**
- 3 **user-generated but is preselected by the provider; and**
- 4 **b. For which any chat, comments, or interactive functionality is**
- 5 **incidental to, directly related to, or dependent upon the provision**
- 6 **of the content described by subdivision a. of this subparagraph.**
- 7 **(2) A registrant who has committed a criminal offense against a victim who is a**
- 8 **minor shall not create or have control of an account on a social media platform**
- 9 **unless the account displays his or her full legal name.**
- 10 **(3) This section shall apply retroactively.**
- 11 **(4) Any person who violates subsection (2) of this section shall be guilty of a Class A**
- 12 **misdemeanor for the first offense, and a Class D felony for a second or**
- 13 **subsequent offense.**