

17.580 Duty of Department of Kentucky State Police to maintain and update Web site containing information about adults who have committed sex crimes or crimes against minors -- Immunity from liability for good faith dissemination of information -- Justice and Public Safety Cabinet to establish toll-free telephone number -- Permission for local law enforcement agency to notify of registrants in jurisdiction.

- (1) The Department of Kentucky State Police shall establish a Web site available to the public. The Web site shall display:
 - (a) The registrant information, except for electronic mail address or any instant messaging, chat, or other Internet communication name identities included in a registrant's registration data, as well as information that identifies a victim, DNA samples, fingerprints, and Social Security numbers, obtained by the Information Services Center, Department of Kentucky State Police, under KRS 17.510;
 - (b) The sex offender information, except for information that identifies a victim, DNA samples, Social Security numbers, and vehicle registration data, obtained by the Information Services Center, Department of Kentucky State Police, under KRS 17.510 prior to April 11, 2000; and
 - (c) The registrant's conviction, the elements of the offense for which the registrant was convicted, whether the registrant is currently on probation or parole, and whether the registrant is compliant or noncompliant.

The Web site shall be updated every day except for Saturdays, Sundays, and state holidays.

- (2) The information pertaining to an individual shall be maintained on the Web site so long as that individual is registered in accordance with KRS 17.500 to 17.580.
- (3) The Web site shall provide public access to electronic mail addresses and any instant messaging, chat, or other Internet communication name identities used by registrants solely by use of a search function on the Web site through which members of the public may enter an electronic mail address or any instant messaging, chat, or other Internet communication name identity and receive an answer as to whether the entered identifier is included in the registrant information for any registrant.
- (4) The following language shall be prominently displayed on the Web site: "UNDER KRS 525.070 AND 525.080, USE OF INFORMATION OBTAINED FROM THIS WEB SITE TO HARASS A PERSON IDENTIFIED ON THIS WEB SITE IS A CRIMINAL OFFENSE PUNISHABLE BY UP TO NINETY (90) DAYS IN THE COUNTY JAIL. MORE SEVERE CRIMINAL PENALTIES APPLY FOR MORE SEVERE CRIMES COMMITTED AGAINST A PERSON IDENTIFIED ON THIS WEB SITE."
- (5) (a) Any Department of Kentucky State Police employee who disseminates, or does not disseminate, registrant information or sex offender information in good faith compliance with the requirements of this section shall be immune from criminal and civil liability for the dissemination or lack thereof.

- (b) Any person, including an employee of a sheriff's office, acting in good faith in disseminating, or not disseminating, information previously disseminated by the Department of Kentucky State Police shall be immune from criminal and civil liability for the dissemination or lack thereof.
- (6) The cabinet shall establish a toll-free telephone number for a person to call to learn the identity of the Web site created in this section and the location of public access to the Web site in the county where the person resides.
- (7) In addition to the Web site, a local law enforcement agency may provide personal notification regarding the registrants located in its jurisdiction. Any notification shall contain the warning specified in subsection (4) of this section.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 100, sec. 7, effective June 25, 2009; and repealed and reenacted 2009 Ky. Acts ch. 105, sec. 6, effective March 27, 2009. -- Amended 2008 Ky. Acts ch. 158, sec. 14, effective July 1, 2008. -- Amended 2007 Ky. Acts ch. 85, sec. 103, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 182, sec. 13, effective July 12, 2006. -- Created 2000 Ky. Acts ch. 401, sec. 19, effective April 11, 2000.

Legislative Research Commission Note (6/25/2009). This section was amended by 2009 Ky. Acts ch. 100, and repealed and reenacted by 2009 Ky. Acts ch. 105, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (6/25/2009). A reference in subsection (7) of this statute to "subsection (3) of this section" has been changed in codification to "subsection (4) of this section" by the Reviser of Statutes under the authority of KRS 7.136(1) to reflect the addition of a new subsection and renumbering of succeeding subsections in 2009 Ky. Acts ch. 100, sec. 7.