



Kentucky Association of Sexual Assault Programs **2017 Kentucky General Assembly Summary**

PASSED

SB 224 Extension of civil statute of limitations for adult and minor victims of sexual assault

Sponsor: Wil Schroder

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB224/bill.pdf>

Passed Senate 36-0; Passed House 97-0; Signed by Governor 3.27.17

1. Adults: Extended from 1 to 5 years
 - a. Covers specific sex crimes, listed in statute
 - b. Added 5 years upon conviction of defendant

2. Minors: Extended from 5 to 10 years
 - a. Added 10 years upon conviction of defendant

(HB 407 to extend childhood sexual abuse or assault civil statute of limitations - Sponsors: Chad McCoy, Addia Wuchner, Walker Thomas, C. Wesley Morgan, was added to SB224)

SB 86 removed mandatory spousal abuse reporting and added mandatory information for victims of dating violence and abuse and domestic violence and abuse

Sponsor: R. Alvarado

Passed under HB 309 (see section 3 and on)

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB309/bill.pdf>

House passed 94-0; Senate passed 37-1; Signed by Governor 4.11.17

Now requires that certain professionals (listed in the statute) who have *reasonable cause to believe that a victim with whom he or she has had a professional interaction has experienced domestic violence and abuse or dating violence and abuse*, SHALL provide them with *educational materials related to domestic violence and abuse or dating violence and abuse including information about how he or she may access regional domestic violence programs or rape crisis center programs and information about how to access protective orders*.

Requires DV service providers, as designated by the Cabinet, to make *educational materials available on web or in print form for professionals to provide to possible victims*.

*A professional shall report to a law enforcement officer his or her belief that the **death** of a victim with whom he or she has had a professional interaction is related to domestic violence and abuse or dating violence and abuse.*

PASSED continued

HB 309 Added protections for tenants under leases and rental agreements

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB309/bill.pdf>

Sponsors: Melinda Prunty, Addia Wuchner, Regina Bunch, Joni Jenkins, Diane St. Onge, and Jill York
House passed 94-0; Senate passed 37-1; Signed by Governor 4.11.17

1. Covers persons ("*protected tenant*": residential rental or leased housing tenant, applicant for tenancy, or tenant with minor household member) who have EPO/DVO, TIPO/IPO, or pretrial release no contact order.
2. Landlord cannot terminate, fail to renew, refuse to enter into, or otherwise retaliate in renting or leasing due to protection order.
 - a. Protected tenant may have a defense in an action for possession of property by landlord
3. Tenant may install a new lock if, they inform landlord of intention, pay for it on own, and shall give new key to landlord upon request.
4. May terminate current lease if valid protective order obtained while living at that property if:
 - a. Provide 30 days written notice and a copy of the protective order to the landlord.
5. After obtaining a protective order, may terminate lease at a subsequent property if:
 - a. Provide 30 days written notice, copy of protective order, and demonstrate safety concern to landlord that arises after execution of the lease
6. Upon termination, tenant liable for prorated rent and not to receive a negative credit entry nor negative character reference.
7. Perpetrator, whether a party to the lease or not, shall be civilly liable for all economic losses incurred by landlord for early lease termination, costs to repair premises, etc.
8. Landlord may take action against perpetrator if they are a tenant on the lease by terminating their lease, evicting them, and action for damages.

HB 38 prohibit sex offender registrants from being on publicly owned playground without advance written permission

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB38/bill.pdf>

Sponsors: King, Hale, Bunch, and Morgan
Passed House 91-0; Passed Senate 37-0; Signed by Governor 3.14.17

PASSED continued

SB 120 Criminal justice reform: offender reentry focus

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB120/bill.pdf>

Sponsor: W. Westerfield

Passed House 85-9; Passed Senate 36-0; Signed by Governor 4.10.17

HB 524 Human trafficking hotline # display and definition of serious physical injury

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB524/bill.pdf>

Sponsors: Wuchner and Westrom

Passed Senate 38-0; Passed House 94-0; Signed by Governor 4.10.17

1. Prominent display of National Human Trafficking Hotline number
 - a. At public schools
 - b. At Rest stops in English and Spanish, using gender-neutral language
2. Added list to definition for *serious physical injury* for children 12 years or less at time of injury

SB 236 Background checks from child abuse and neglect records

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB236/bill.pdf>

Sponsors: Adams, D. Carroll, Embry Jr., Wise, and Alvarado

Passed Senate 37-0; Passed House 97-0; Signed by Governor 3.27.17

1. Parents and legal guardians may request when employing a person for childcare
2. Private schools may request child abuse check on staff, volunteers, etc
3. Public schools shall require background checks, including child abuse
4. Youth camps must perform background checks including child abuse and neglect records

HB 267 Changes to Cabinet for Health and Family Services

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB276/bill.pdf>

Sponsor: Moffitt

Passed Senate 37-0; Passed House 93-0; Signed by Governor 3.21.17

Repealed Council on DV and SA; Established SART AC on own

Similar legislation SB 95 <http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB95/bill.pdf>

Sponsor: Alvarado; Passed Senate 37-0; 1st reading in House Health and Family Services

HB 453 Creation of Kentucky Claims Commission

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB453/bill.pdf>

Sponsor: Hart

Passed House 69-17; Passed Senate 37-0; Signed by Governor 3.21.17

Crime Victims Compensation Board replaced by Kentucky Claims Commission

DID NOT PASS

“Marsy’s Law” Provide victim rights in the Kentucky Constitution

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB15/bill.pdf>
<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB115/bill.pdf>
<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB171/bill.pdf>
<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB169/bill.pdf>

Senate side: SB 15 and 115; Sponsors: Westerfield, Thayer, Raque Adams, D.Carroll, Parrett, Hornback, Wilson, Embry Jr., Forgy Kerr, and Carpenter

House side: HB 171 and 169; Sponsors: Benvenuti, Lee, Bratcher, and Meade

No movement from respective committees

HB 408 prohibit the distribution of any material that portrays child pornography or a sexual performance by a minor

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB408/bill.pdf>
Sponsors: McCoy, Blanton, Wuchner, and Morgan
Passed House 81-0; No movement from Senate Judiciary

SB 234 victim privacy in open records

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB234/bill.pdf>
Sponsor: Raque Adams
No movement from Senate Judiciary

SB 142 Modify Address Confidentiality Program

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB142/bill.pdf>
Sponsor: Raque Adams
No movement from Senate Judiciary

HB 480 Criminalize sexual assault of animals

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB480/bill.pdf>
Sponsor: Jenkins and Richards
No movement from House Judiciary

HB 143 Criminalize sexual assault of animals

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB143/bill.pdf>
Sponsor: Morgan
No movement from House Judiciary

DID NOT PASS continued

HB 413 to allow a judge to admit into evidence the out-of-court statements of a child under the age of 12 in a case involving a violent offense, certain sex offenses, and proceedings under KRS Chapter 620

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB413/bill.pdf>

Sponsors: Koenig and Morgan

No movement from House Judiciary

HB 361 Omnibus bill to prevent child abuse and exploitation

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB361/bill.pdf>

Sponsors: Keene and Richards

No movement from House Judiciary but portions of this bill passed elsewhere.

HB 406 Prevention of human trafficking, child abuse, and exploitation

Sponsors: Blanton, Wuchner, Riley, McCoy, Morgan, and Prunty

Bill withdrawn but portions passed elsewhere

HB 129 Create child abuse registry

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB129/bill.pdf>

Sponsors: Lee and Morgan

Passed House 84-0; 2nd reading in Senate

HB 47 Create child abuse registry

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB47/bill.pdf>

Sponsors: Keene, Miller, and Bunch

No movement from House Health and Family Services

HB 402 Increase background checks

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB402/bill.pdf>

Sponsors: Bunch, Wuchner, Morgan, and Prunty

No movement from House Judiciary

SB 148 Prohibit distribution of sexually explicit images without the consent of the person depicted

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB148/bill.pdf>

Sponsor: Tom Buford

No movement from Senate Judiciary

DID NOT PASS continued

HB 494 Requirements for sex offenders in registering and more

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB494/bill.pdf>

Sponsor: Jason Petrie

No movement from House Judiciary

HB 331 human trafficking hotline signs at rest stops

<http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB331/bill.pdf>

Sponsor: Marzian

No movement but covered under HB 524

Training for truck drivers on identifying and reporting human trafficking

SB 141 <http://www.lrc.ky.gov/recorddocuments/bill/17RS/SB141/bill.pdf>

Sponsor: J. Raque Adams

No movement from Senate Transportation

HB 266 <http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB266/bill.pdf>

Sponsors: Overly, Cantrell, Adkins, Brown Jr., Burch, Coursey, Donohue, Gentry, Keene, Marzian,
Palumbo, Richards, Schamore, Scott, Sims, Jr, Stone, Wayne, and Westrom

No movement from House Transportation