

**14.260 Address protection program -- Substitute address -- Address protection program fund.**

- (1) As funds are available, the Secretary of State, or designee, shall promulgate administrative regulations to expand the address protection program to allow an applicant or specified guardians to apply to have a substitute address designated to serve as the address of the participant. Any program created under this section shall:
  - (a) Collaborate with the Kentucky Commission on Women;
  - (b) Establish criteria to prohibit certain individuals, including any individual required to register as a sex offender, from participation in the program;
  - (c) Allow a participant to request that state and local agencies use the substitute address as the address of the participant, but agencies may show that they have a bona fide statutory or administrative requirement for the actual address;
  - (d) Be open to individuals that are victims of domestic violence and abuse, stalking, any victim of an offense or an attempt to commit an offense defined in KRS Chapter 510, 530.020, 530.064(1)(a), 531.310, or 531.320, or any victim of a similar federal offense or a similar offense from another state or territory;
  - (e) Allow an applicant to submit evidence, including a sworn statement, to show that he or she is a victim of a qualifying offense.
- (2) Participation in any program established under this section shall not affect custody or visitation orders in effect prior to or established during program participation, nor shall it constitute evidence of any offense and shall not be considered for purposes of making an order allocating parental responsibilities or parenting time.
- (3) No actionable duty nor any right of action shall accrue against the state, any entity operating an address protection program for the state, an individual operating in his or her professional capacity on behalf of the confidential address protection program established in this section, or an employee of the state or municipality in the event of negligent acts that result in the disclosure of a program participant's actual address.
- (4) The address protection program fund is hereby created as a separate trust fund in the State Treasury. The address protection program fund shall consist of amounts received from fees collected pursuant to KRS 23A.208 and 24A.178, amounts received from appropriations, and any other proceeds from gifts, grants, federal funds, or any other funds, both public and private, made available for the purposes of this section.
- (5) The address protection program fund shall be administered by the Secretary of State to operate and maintain the confidential address protection program established in this section.
- (6) Notwithstanding KRS 45.229, address protection program fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.
- (7) Any interest earnings of the address protection program fund shall become a part of the address protection program fund and shall not lapse.

- (8) Moneys deposited in the address protection program fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.

**Effective:** June 24, 2015

**History:** Amended 2015 Ky. Acts ch. 101, sec. 3, effective June 24, 2015. -- Created 2013 Ky. Acts ch. 118, sec. 17, effective June 25, 2013.