

14.304 Permit crime victims to use for voting purposes an address provided by the Secretary of State rather than person's actual physical address -- Request to participate in program to include sworn statement of endangerment -- Two year certification period for program participants -- Administrative regulation to govern renewal of certification -- Penalty for providing false information -- Addresses exempt from disclosure under Open Records Law.

- (1) Upon the creation of the crime victim address protection program, an applicant, a parent or guardian acting on behalf of a minor, a guardian acting on behalf of a person who is declared incompetent, or a designee of an applicant or a parent or guardian of a minor or a guardian of a person declared incompetent who cannot for any reason apply themselves, may apply to the Secretary of State to have an address designated by the Secretary of State serve for voting purposes as the address of the applicant, the minor, or the incompetent person. The Secretary of State shall approve an application if it is filed in the manner and on the form prescribed by the Secretary of State by administrative regulation and if it contains:
 - (a) A sworn statement by the applicant that:
 1. The applicant or the minor or the incompetent person on whose behalf the application is made is a victim of a specified offense in an ongoing criminal case or in a criminal case that resulted in a conviction by a judge or jury or by a defendant's guilty plea; or
 2. The applicant or the minor or the incompetent person on whose behalf the application is made has been granted an order of protection as defined in KRS 403.720 and 456.010 by a court of competent jurisdiction within the Commonwealth of Kentucky and the order is in effect at the time of application;
 - (b) A sworn statement by the applicant that disclosure of the address of the applicant would endanger the safety of the applicant or the safety of the children of the applicant, or the minor or incompetent person on whose behalf the application is made.
 - (c) The mailing address and the phone number or numbers where the applicant can be contacted by the Secretary of State;
 - (d) The new address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of a specified offense; and
 - (e) The signature of the applicant and of a representative of any office designated under KRS 14.310 as a referring agency who assisted in the preparation of the application, and the date on which the applicant signed the application.
- (2) Applications shall be filed with the Office of the Secretary of State.
- (3) Upon the filing of a properly completed application, the Secretary of State shall certify the applicant as a program participant if the applicant is not required to register as a sex offender or is not otherwise prohibited from participating in the program.
- (4) Applicants shall be certified for two (2) years following the date of filing unless

the certification is withdrawn or invalidated before that date. The Secretary of State shall promulgate an administrative regulation to establish a renewal procedure.

- (5) A person who falsely attests in an application that disclosure of the address of the applicant would endanger the safety of the applicant or the safety of the children of the applicant, or the minor or incompetent person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application may be found guilty of a violation of KRS 523.030.
- (6) The addresses of individuals applying for entrance into the crime victim address confidentiality program and the addresses of those certified as program participants shall be exempt from disclosure under the Kentucky Open Records Act, KRS 61.870 to KRS 61.884.
- (7) A program participant shall notify the Office of the Secretary of State of a change of address within seven (7) days of the change of address.

Effective: January 1, 2016

History: Amended 2015 Ky. Acts ch. 102, sec. 37, effective January 1, 2016. --
Created 2013 Ky. Acts ch. 87, sec. 3, effective June 25, 2013.