

**411.065 Action for disseminating personally identifying information -- Exemption of service providers.**

- (1) Any person who violates KRS 525.085 shall be personally liable for actual and punitive damages, court costs, and reasonable attorney's fees in a civil cause of action brought against an alleged perpetrator:
  - (a) By a victim;
  - (b) By a victim's parent or legal guardian on behalf of a victim who is a minor; and
  - (c) By a victim's immediate family member or household member, if he or she is harmed as a result of the same violation against the victim.
- (2) The action may be filed in the Circuit Court for the county where the alleged violation occurred or the county where the victim resides.
- (3) An individual found liable under this section shall be jointly and severally liable with each other person found liable under this section for the damages arising from the same violation of this section.
- (4) Nothing in this section shall be construed to impose liability on a broadband Internet access service provider, a telecommunications service provider, an interconnected VoIP provider, or a mobile service provider as defined in 47 U.S.C. sec. 153, a commercial mobile service provider as defined in 47 U.S.C. sec. 332(d), or a cable operator as defined in 47 U.S.C. sec. 522, when acting in its capacity as a provider of those services.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 199, sec. 2, effective June 29, 2021.