AN ACT relating to crimes and punishments.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 508.075 is amended to read as follows:

(1) A person is guilty of terroristic threatening in the first degree when he or she:

(a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on:

1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;

2. A school bus or other vehicle owned, operated, or leased by a school;

3. The real property or any building public or private that is the site of an official school-sanctioned function;

4. The real property or any building owned or leased by a government agency; or

5. The real property or any building owned or leased by a domestic violence shelter as defined in KRS 511.085; or

(b) Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.

(2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010.

(3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, domestic violence shelter personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response,
or a public safety answering point and identifies the person from whom the threat
was communicated, if known.

(4) Terroristic threatening in the first degree is a Class C felony.