

1 AN ACT relating to detention by peace officers.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 431 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) Any peace officer may stop any person in a public place whom the officer*  
6 *encounters under circumstances which reasonably indicate that the person has*  
7 *committed, is committing, or is about to commit a crime, and the officer may*  
8 *demand:*

9 *(a) 1. The person's name, address, and date of birth; or*

10 *2. The person's government-issued identification, if in the person's*  
11 *possession; and*

12 *(b) An explanation for the person's actions.*

13 *(2) Any person stopped under subsection (1) of this section who fails to identify*  
14 *himself or herself or explain the person's actions to the satisfaction of the officer*  
15 *may be detained and further questioned and investigated by the peace officer for*  
16 *a period not to exceed two (2) hours.*

17 *(3) Detention under this section is not an arrest and shall not be recorded as an*  
18 *arrest in any official record. At the end of the detention period, the detained*  
19 *person shall be released or arrested and charged with a crime outside of this*  
20 *section.*