

CHAPTER 83**(SB 60)**

AN ACT relating to offenses committed in a continuing course of conduct against vulnerable victims and declaring an emergency.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 501 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "offense against a vulnerable victim" means any violation of:*
 - (a) *KRS 508.100;*
 - (b) *KRS 508.110;*
 - (c) *KRS 508.120;*
 - (d) *KRS 510.040, 510.050, 510.060, 510.070, 510.080, 510.090, 510.110, 510.120, or 530.020, if the victim is under the age of fourteen (14), or if the victim is an individual with an intellectual disability, physically helpless, or mentally incapacitated, as those terms are defined in KRS 510.010;*
 - (e) *KRS 529.100 or 529.110 if the victim is a minor;*
 - (f) *KRS 530.064(1)(a);*
 - (g) *KRS 531.310;*
 - (h) *KRS 531.320; or*
 - (i) *Any felony in KRS Chapter 209.*
- (2) *A person may be charged with committing an offense against a vulnerable victim in a continuing course of conduct if the unlawful act was committed against the same person two (2) or more times over a specified period of time.*
- (3) *If a person is charged as committing the crime in a continuing course of conduct, the indictment shall clearly charge that the crime was committed in a continuing course of conduct.*
- (4) *To convict a person of an offense against a vulnerable victim in a continuing course of conduct, the jury shall unanimously agree that two (2) or more acts in violation of the same statute occurred during the specified period of time. The jury need not agree on which specific acts occurred.*
- (5) *If a person is convicted of an offense against a vulnerable victim in a continuing course of conduct, that person may not also be convicted of charges based on the individual unlawful acts that were part of the continuing course of conduct.*
- (6) *The penalty, probation and parole eligibility, and other consequences of an offense charged under this section shall be the same as for the offense when charged based on an individual act.*
- (7) *The applicability of this section shall be governed by the age of the victim at the time of the offense.*

➔Section 2. Whereas protecting the health and safety of Kentucky's most vulnerable citizens is one of the most important goals of our government and no just cause exists for delay, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor April 9, 2016.