

CHAPTER 127**(HB 619)**

AN ACT relating to terms of imprisonment.

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

➔Section 1. KRS 532.110 is amended to read as follows:

- (1) When multiple sentences of imprisonment are imposed on a defendant for more than one (1) crime, including a crime for which a previous sentence of probation or conditional discharge has been revoked, the multiple sentences shall run concurrently or consecutively as the court shall determine at the time of sentence, except that:
 - (a) A definite and an indeterminate term shall run concurrently and both sentences shall be satisfied by service of the indeterminate term;
 - (b) The aggregate of consecutive definite terms shall not exceed one (1) year;
 - (c) The aggregate of consecutive indeterminate terms shall not exceed in maximum length the longest extended term which would be authorized by KRS 532.080 for the highest class of crime for which any of the sentences is imposed, *except as described in KRS 533.060(2) or (3)*. In no event shall the aggregate of consecutive indeterminate terms exceed seventy (70) years; and
 - (d) The sentences of a defendant convicted of two (2) or more felony sex crimes, as defined in KRS 17.500, involving two (2) or more victims shall run consecutively.
- (2) If the court does not specify the manner in which a sentence imposed by it is to run, the sentence shall run concurrently with any other sentence which the defendant must serve unless the sentence is required by subsection (3) of this section or KRS 533.060 to run consecutively.
- (3) Notwithstanding any provision in this section to the contrary, if a person is convicted of an offense that is committed while he *or she* is imprisoned in a penal or reformatory institution, during an escape from imprisonment, or while he *or she* awaits imprisonment, the sentence imposed for that offense may be added to the portion of the term which remained unserved at the time of the commission of the offense. The sentence imposed upon any person convicted of an escape or attempted escape offense shall run consecutively with any other sentence which the defendant must serve.
- (4) Notwithstanding any provision in this chapter to the contrary, if a person is convicted of an offense that is committed while he *or she* is imprisoned in a penal or reformatory institution, the sentence imposed for that offense may, upon order of the trial court, be served in that institution. The person may be transferred to another institution pursuant to administrative regulations of the Department of Corrections.

Signed by Governor April 9, 2024.