

421.540 Effect of failure to provide required notification.

The failure to provide a right, notice or privilege to a victim or witness under KRS 421.510 to 421.550 or 15.245 shall not be grounds for the defendant to seek to have the conviction or sentence set aside.

Effective: July 15, 1986

History: Created 1986 Ky. Acts ch. 212, sec. 8, effective July 15, 1986.

Legislative Research Commission Note (6/13/2019). 2018 Ky. Acts ch. 19, sec. 8, provides that the repeal of this statute in that Act "shall take effect only upon the ratification, in the general election of November 6, 2018, of a Constitutional amendment providing for the protection of crime victims' rights. If such an amendment is not ratified, this Act shall be void." On June 13, 2019, the Kentucky Supreme Court ruled that the language of the proposed amendment was not properly submitted to the voters at that election and, therefore, its ratification was void under Section 256 of the Kentucky Constitution. Consequently, the repeal of this statute in 2019 Ky. Acts ch. 19, sec. 7, was not given effect.