

**505.050 Effects of former prosecution in another jurisdiction.**

When conduct constitutes an offense within the concurrent jurisdiction of this state and of the United States or another state, a prosecution in such other jurisdiction is a bar to a subsequent prosecution in this state under the following circumstances:

- (1) The former prosecution resulted in an acquittal, a conviction which has not subsequently been set aside, or a determination that there was insufficient evidence to warrant a conviction, and the subsequent prosecution is for an offense involving the same conduct unless:
  - (a) Each prosecution requires proof of a fact not required in the other prosecution;  
or
  - (b) The offense involved in the subsequent prosecution was not consummated when the former prosecution began; or
- (2) The former prosecution was terminated in a final order or judgment which has not subsequently been set aside and which required a determination inconsistent with any fact necessary to a conviction in the subsequent prosecution.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 47, effective January 1, 1975.