

506.140 Criminal gang recruitment.

- (1) (a) Any person who is age eighteen (18) or older is guilty of criminal gang recruitment in the first degree if he or she:
 1. Solicits or entices any person under the age of fifteen (15) to join a criminal gang; and
 2. Requires as a condition of membership the commission of a crime.
- (b) Criminal gang recruitment in the first degree is a Class C felony for the first offense and a Class B felony for a second or subsequent offense.
- (2) (a) Any person over the age of eighteen (18) is guilty of criminal gang recruitment in the second degree if he or she entices or solicits another person to join a criminal gang or intimidates or threatens another person because the other person:
 1. Refuses to join a criminal gang;
 2. Has withdrawn or is attempting to withdraw from a criminal gang; or
 3. Refuses to submit to a demand made by a criminal gang.
- (b) Criminal gang recruitment in the second degree is a Class D felony for the first offense and a Class C felony for a second or subsequent offense.
- (3) (a) Any person under the age of eighteen (18) is guilty of criminal gang recruitment in the third degree when he or she intentionally encourages or solicits another person to join a criminal gang.
- (b) Criminal gang recruitment in the third degree is a Class A misdemeanor for the first offense and a Class D felony for a second or subsequent offense.
- (4) It shall be no defense to prosecution under this section that the other person never intended to or did not commit the crime.

Effective: April 26, 2018

History: Repealed and reenacted 2018 Ky. Acts ch. 202, sec. 2, effective April 26, 2018. -- Amended 2000 Ky. Acts ch. 431, sec. 1, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 606, sec. 83, effective July 15, 1998.