

525.045 Terrorism.

- (1) A person is guilty of the separate offense of terrorism if conviction of the underlying offense committed would classify the person as a violent offender under KRS 439.3401(1)(a), (b), (c), or (d), or the underlying offense was an offense under KRS 527.200, 527.205, or 527.210 and the person had the intent to:
 - (a) Intimidate the civilian population at large, or an identifiable group of the civilian population; or
 - (b) Influence, through intimidation, the conduct or activities of the government of the United States, the Commonwealth, any other state, or any unit of local government.
- (2) A conviction of terrorism shall be punishable by a term of imprisonment for life without benefit of probation or parole. An offense under this section is a separate offense from the underlying offense and shall not merge with other offenses.
- (3) A person convicted under this section shall not be released on probation, shock probation, parole, conditional discharge, or any other form of conditional release.
- (4)
 - (a) All real and personal property used or intended for use in the course of, derived from, or realized through an offense punishable pursuant to this section shall be subject to lawful seizure and forfeiture to the Commonwealth as set forth in KRS 218A.405 to 218A.460, except that any property seized and forfeited to the Commonwealth under this section that was used in an act of terror, as defined in KRS 411.025, shall be held for at least five (5) years for the purposes of paying any damages awarded under KRS 411.025.
 - (b) Notwithstanding paragraph (a) of this subsection, any real or personal property:
 1. Taken by a lender in good faith as collateral for the extension of credit and recorded as provided by law;
 2. Of an owner who made a bona fide purchase of the property; or
 3. Of a person with rightful possession of the property;shall not be subject to forfeiture unless the lender, owner, or person had knowledge of an offense under this section.
- (5) Damages awarded pursuant to a successful claim under KRS 411.025 may be paid by property lawfully seized and forfeited under this section.

Effective: July 14, 2018

History: Created 2018 Ky. Acts ch. 111, sec. 2, effective July 14, 2018.

Legislative Research Commission Note (7/14/2018). 2018 Ky. Acts ch. 111, sec. 3 provided that this statute as created in Section 2 of that Act shall be known and may be cited as Andy's Law.