

439.268 Probation program credits.

- (1) Any supervised individual on probation, probation with an alternative sentence, or conditional discharge shall receive credit on his or her sentence for:
 - (a) Successfully receiving a High School Equivalency Diploma or a high school diploma, a college degree, a completed vocational or technical education program, or a correspondence postsecondary education program which results in a diploma or degree, as defined and approved by the department in the amount of ninety (90) days per diploma, degree, or vocational or technical education program completed;
 - (b) Successfully completing a drug treatment program, evidence-based program, or any other promising practice or life skills program approved by the department, in the amount of not more than ninety (90) days for each program completed. The department shall determine criteria to establish whether a life skills or promising practice program is eligible for probation program credits. Programs shall demonstrate learning of skills necessary for reintegration into the community to minimize barriers to successful reentry. Approval of programs shall be subject to review by the department; and
 - (c) Work-for-time credit, which shall be applied for any public employment, at the same rates as calculated pursuant to KRS 197.047.
- (2) Probation program credits earned pursuant to subsection (1) of this section shall be applied to reduce the period of probation, probation with an alternative sentence, or conditional discharge ordered by the sentencing court.
- (3) No less than ninety (90) days before the projected date of final discharge, the department shall notify the sentencing court of probation program credits awarded pursuant to this section and that the period of supervision is reduced by the number of days of probation program credits earned by the supervised individual, and the impending discharge from supervision. If the sentencing court, upon receiving such notice does not take any action pursuant to KRS 533.020, the offender shall be discharged.
- (4) The department may promulgate administrative regulations for the awarding of probation program credits.
- (5) For supervised individuals on supervision prior to July 15, 2020, probation program credits shall begin to accrue on the first day of the first month after July 15, 2020.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 44, sec. 1, effective July 15, 2020.