

421.510 Speedy trial where child victim is involved.

- (1) Where the victim is less than sixteen (16) years old and the crime is a sexual offense including violations of KRS 510.040 to 510.150, 530.020, 530.064(1)(a), 530.070, 531.310, 531.320, and 531.370, a speedy trial may be scheduled as provided in subsection (2) of this section.
- (2) The court, upon motion by the attorney for the Commonwealth for a speedy trial, shall set a hearing date on the motion within ten (10) days of the date of the motion. If the motion is granted, the trial shall be scheduled within ninety (90) days from the hearing date.
- (3) In ruling on any motion or other request for a delay or continuance of the proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

Effective: November 3, 2020

History: Repealed and reenacted 2020 Ky. Acts ch. 101, sec. 3, effective November 3, 2020. -- Amended 2006 Ky. Acts ch. 182, sec. 64, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 606, sec. 41, effective July 15, 1998. -- Created 1986 Ky. Acts ch. 212, sec. 2, effective July 15, 1986.

Legislative Research Commission Note (11/3/2020). 2020 Ky. Acts ch. 101, sec. 8, provides that the repeal and reenactment of this statute in Section 3 of that Act "shall take effect only upon the ratification, in the general election of November 3, 2020, of a Constitutional amendment providing for the protection of crime victims' rights. If such an amendment is not ratified, this Act shall be void. The proposed amendment was ratified, effective November 3, 2020, becoming Kentucky Constitution Section 26A."

Legislative Research Commission Note (6/13/2019). 2018 Ky. Acts ch. 19, sec. 8, provides that the repeal and reenactment 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 and reenactment of this statute in 2019 Ky. Acts ch. 19, sec. 3, was not given effect.