

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2018 REGULAR SESSION
Unofficial Document

Amend printed copy of **SB 133/SCS 1**

Beginning on page 12, line 1, and continuing through page 12, line 24, by deleting all text and inserting the following in lieu thereof:

- 3. Not charged or convicted of an offense that would qualify the person as a violent offender under KRS 439.3401;**
 - 4. Not charged or convicted of an offense under KRS Chapter 510, KRS 529.100 involving commercial sexual activity, KRS 530.020, 530.064(1)(a), 531.310, or 531.320; and**
 - 5. Not a persistent felony offender; and**
- (b) "Pregnancy release conditions" means conditions of release set by a court or the department for eligible persons which shall include:**
- 1. Completing inpatient residential treatment for substance use disorders;**
 - 2. Not being charged with a new local, state, or federal misdemeanor or felony offense;**
 - 3. If not yet sentenced, appearing for all required court appearances;**
 - 4. If not yet sentenced, avoiding all contact with any alleged victim and any potential witness who may testify concerning the charge, unless or until the court removes this condition; and**
 - 5. If not yet sentenced, maintaining a current address with the court.**

Amendment No. SFA 5

Rep. Sen. Whitney Westerfield

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: Comstock, Katie

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

Unofficial Document

(2) Except as provided in subsection (4) of this section and notwithstanding any other statute to the contrary, when an eligible person is charged with or convicted of any violation of KRS Chapter 218A, the person shall be released from custody upon her own recognizance until she violates the pregnancy release conditions or:

(a) If not yet sentenced:

1. Completes the inpatient residential treatment; or

2. Is sentenced pursuant to a final judgment on any charge for which she was awaiting sentencing;

whichever occurs later; or

(b) If sentenced:

1. Completes the inpatient residential treatment; or

2. Thirty (30) days have passed since giving birth or miscarrying;

whichever occurs later.

(3) Nothing in this section shall alter the time period required for a motion of shock probation as outlined in KRS 439.265 or 439.267.

(4) If an eligible person is housed in a jail that provides treatment for substance use disorders or in a jail that transports prisoners for treatment, this section shall not apply."; and

Beginning on page 13, line 22, and continuing through page 31, line 20, by deleting all text;

and

Renumber the subsequent section accordingly; and

Beginning on page 34, line 16, and continuing through page 48, line 9, by deleting all text;

and

Renumber the subsequent sections accordingly.