

1 AN ACT relating to criminal procedure.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 23A.080 is amended to read as follows:

4 (1) A direct appeal may be taken from District Court to Circuit Court from any final  
5 action of the District Court.

6 (2) The Circuit Court may issue all writs necessary in aid of its appellate jurisdiction,  
7 or the complete determination of any cause within its appellate jurisdiction.

8 **(3) An appeal may be taken to the Circuit Court by the state in criminal cases from**  
9 **an adverse decision or ruling of the District Court, but only under the following**  
10 **conditions:**

11 **(a) The appeal shall not suspend the proceedings in the case;**

12 **(b) The appeal shall be taken in the manner provided by the Rules of Criminal**  
13 **Procedure and the Rules of Appellate Procedure; and**

14 **(c) When an appeal is taken pursuant to this subsection, the Circuit Court, if**  
15 **the record warrants, may reverse the decision of the District Court and**  
16 **order a new trial in any case in which a new trial would not constitute**  
17 **double jeopardy or otherwise violate any constitutional rights of the**  
18 **defendant.**