

1 AN ACT relating to crimes and punishments.

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

3 ➔Section 1. KRS 441.055 is amended to read as follows:

4 (1) The Department of Corrections shall for those counties which elect to house state
5 prisoners in their jail:

6 (a) Adopt the recommendations of the Jail Standards Commission created
7 pursuant to Executive Order Number 81-1026 and promulgate regulations
8 pursuant to KRS Chapter 13A establishing minimum standards for jails.
9 These standards shall include, but not be limited to, rules governing the
10 following areas:

- 11 1. Health and safety conditions;
- 12 2. Fire safety;
- 13 3. Jail operations, recordkeeping, and administration;
- 14 4. Curriculum of basic and continuing annual training for jailers and jail
15 personnel;
- 16 5. Custody, care, and treatment of prisoners;
- 17 6. Medical care; and
- 18 7. Jail equipment, renovation, and construction;

19 (b) Develop a jail standards review process, which shall include the participation
20 of persons knowledgeable of jail operations to review and amend the
21 standards as necessary. The jail standards shall be reviewed no later than
22 December 31, 1992, and at least every two (2) years thereafter. Fifty percent
23 (50%) of the participants in the review process shall be appointed from
24 persons representing county interests and fifty percent (50%) shall be
25 appointed from persons representing state interests; and

26 (c) Provide technical assistance and consultation to local governments in order to
27 facilitate compliance with standards.

- 1 (2) The department shall, for those counties that elect not to hold state prisoners in their
2 jails, adopt the recommendations of the Jail Standards Commission and promulgate
3 administrative regulations pursuant to KRS Chapter 13A to establish minimum
4 standards for those jails. These standards shall be limited to health and life safety.
- 5 (3) All minimum standards promulgated by the department applying to jails shall
6 include requirements for adequate nutrition for pregnant prisoners, an adequate
7 number of hygiene products for female prisoners, and an appropriate number of
8 undergarments for female prisoners.
- 9 (4) The department may establish classifications of jails based on the maximum
10 permissible period of incarceration or other criteria and promulgate standards for
11 each class of jail.

12 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 196 IS CREATED TO
13 READ AS FOLLOWS:

- 14 (1) Except as provided in subsection (2) of this section, an inmate housed in a jail,
15 penitentiary, or local or state correctional or detention facility, residential center,
16 or reentry center who is known to be pregnant shall be restrained solely with
17 handcuffs in front of her body unless further restraint is required to protect
18 herself or others.
- 19 (2) (a) Except in an extraordinary circumstance, no inmate who is known to be
20 pregnant shall be restrained during labor, during transport to a medical
21 facility or birthing center for delivery, or during postpartum recovery.
- 22 (b) As used in this subsection, "extraordinary circumstance" means that
23 reasonable grounds exist to believe the inmate presents an immediate and
24 credible:
- 25 1. Serious threat of hurting herself, staff, or others; or
26 2. Risk of escape that cannot be reasonably minimized through any
27 method other than restraints.

1 ➔Section 3. KRS 197.020 is amended to read as follows:

2 (1) The Department of Corrections shall:

3 (a) Promulgate administrative regulations for the government and discipline of
4 the penitentiary, for the government and official conduct of all officials
5 connected with the penitentiary, and for the government of the prisoners in
6 their department and conduct;

7 (b) Promulgate administrative regulations for the character of food and diet of the
8 prisoners; the preservation of the health of the prisoners; the daily cleansing of
9 the penitentiary; the cleanliness of the persons of the prisoners; the general
10 sanitary government of the penitentiary and prisoners; the character of the
11 labor; the quantity of food and clothing; and the length of time during which
12 the prisoners shall be employed daily;

13 (c) Promulgate administrative regulations, as the department deems necessary, for
14 the disposition of abandoned, lost, or confiscated property of prisoners;

15 (d) Promulgate administrative regulations for the administration of a validated
16 risk and needs assessment to assess the criminal risk factors and correctional
17 needs of all inmates upon commitment to the department;

18 ~~(e)~~ **Promulgate administrative regulations to create a certification process for**
19 **county jails that may house female state inmates. The administrative**
20 **regulations shall include a requirement of a physical barrier between male**
21 **and female inmates;** and

22 ~~(f)~~~~(e)~~ Cause the administrative regulations promulgated by the department,
23 together with the law allowing commutation of time to prisoners for good
24 conduct, to be printed and posted in conspicuous places in the cell houses and
25 workshops.

26 (2) The department may impose a reasonable fee for the use of medical facilities by a
27 prisoner who has the ability to pay for the medical and dental care. These funds may

1 be deducted from the prisoner's inmate account. A prisoner shall not be denied
2 medical or dental treatment because he has insufficient funds in his inmate account.

3 (3) The department may promulgate administrative regulations in accordance with KRS
4 Chapter 13A to implement a program that provides for reimbursement of telehealth
5 consultations.

6 (4) Fees for the use of medical facilities by a state prisoner who is confined in a county
7 jail pursuant to KRS 532.100 or other statute shall be governed by KRS 441.045.

8 ➔Section 4. KRS 532.100 is amended to read as follows:

9 (1) When an indeterminate term of imprisonment is imposed, the court shall commit
10 the defendant to the custody of the Department of Corrections for the term of his
11 sentence and until released in accordance with the law.

12 (2) When a definite term of imprisonment is imposed, the court shall commit the
13 defendant to the county or city correctional institution or to a regional correctional
14 institution for the term of his sentence and until released in accordance with the law.

15 (3) When a sentence of death is imposed, the court shall commit the defendant to the
16 custody of the Department of Corrections with directions that the sentence be
17 carried out according to law.

18 (4) (a) The provisions of KRS 500.080(5) notwithstanding, if a Class D felon is
19 sentenced to an indeterminate term of imprisonment of five (5) years or less,
20 he shall serve that term in a county jail in a county in which the fiscal court
21 has agreed to house state prisoners; except that, when an indeterminate
22 sentence of two (2) years or more is imposed on a Class D felon convicted of
23 a sexual offense enumerated in KRS 197.410(1), or a crime under KRS
24 17.510(11) or (12), the sentence shall be served in a state institution. Counties
25 choosing not to comply with the provisions of this paragraph shall be granted
26 a waiver by the commissioner of the Department of Corrections.

27 (b) The provisions of KRS 500.080(5) notwithstanding, a Class D felon who

1 received a sentence of more than five (5) years for nonviolent, nonsexual
2 offenses, but who currently has less than five (5) years remaining to be served,
3 may serve the remainder of his or her term in a county jail in a county in
4 which the fiscal court has agreed to house state prisoners.

5 (c) 1. The provisions of KRS 500.080(5) notwithstanding, and except as
6 provided in subparagraph 2. of this paragraph, a Class C or D felon with
7 a sentence of more than five (5) years who is classified by the
8 Department of Corrections as community custody shall serve that term
9 in a county jail in a county in which the fiscal court has agreed to house
10 state prisoners if:

- 11 a. Beds are available in the county jail;
- 12 b. State facilities are at capacity; and
- 13 c. Halfway house beds are being utilized at the contract level as of
14 July 15, 2000.

15 2. When an indeterminate sentence of two (2) years or more is imposed on
16 a felon convicted of a sex crime, as defined in KRS 17.500, or any
17 similar offense in another jurisdiction, the sentence shall be served in a
18 state institution.

19 3. Counties choosing not to comply with the provisions of this paragraph
20 shall be granted a waiver by the commissioner of the Department of
21 Corrections.

22 (d) Any jail that houses state inmates under this subsection shall offer programs
23 as recommended by the Jail Standards Commission. The Department of
24 Corrections shall adopt the recommendations of the Jail Standards
25 Commission and promulgate administrative regulations establishing required
26 programs for a jail that houses state inmates under this subsection.

27 **(e) Before housing any female state inmate, a county jail shall be certified**

1 *pursuant to Section 3 of this Act.*

2 (5) The jailer of a county in which a Class D felon or a Class C felon is incarcerated
3 may request the commissioner of the Department of Corrections to incarcerate the
4 felon in a state corrections institution if the jailer has reasons to believe that the
5 felon is an escape risk, a danger to himself or other inmates, an extreme security
6 risk, or needs protective custody beyond that which can be provided in a county jail.
7 The commissioner of the Department of Corrections shall evaluate the request and
8 transfer the inmate if he deems it necessary. If the commissioner refuses to accept
9 the felon inmate, and the Circuit Judge of the county that has jurisdiction of the
10 offense charged is of the opinion that the felon cannot be safely kept in a county
11 jail, the Circuit Judge, with the consent of the Governor, may order the felon
12 transferred to the custody of the Department of Corrections.

13 (6) Class D felons and Class C felons serving their time in a local jail shall be
14 considered state prisoners, and the Department of Corrections shall pay the jail in
15 which the prisoner is incarcerated a per diem amount determined according to KRS
16 431.215(2). For other state prisoners and parole violator prisoners, the per diem
17 payments shall also begin on the date prescribed in KRS 431.215(2).

18 (7) State prisoners, excluding the Class D felons and Class C felons qualifying to serve
19 time in county jails, shall be transferred to the state institution within forty-five (45)
20 days of final sentencing.

21 (8) (a) Class D felons eligible for placement in a local jail may be permitted by the
22 warden or jailer to participate in any approved community work program or
23 other form of work release with the approval of the commissioner of the
24 Department of Corrections.

25 (b) The authority to release an inmate to work under this subsection may be
26 exercised at any time during the inmate's sentence, including the period when
27 the court has concurrent authority to permit work release pursuant to KRS

1 439.265.

2 (c) The warden or jailer may require an inmate participating in the program to pay
3 a fee to reimburse the warden or jailer for the cost of operating the community
4 work program or any other work release program. The fee shall not exceed the
5 lesser of fifty-five dollars (\$55) per week or twenty percent (20%) of the
6 prisoner's weekly net pay earned from the community work program or work
7 release participation. In addition, the inmate may be required to pay for any
8 drug testing performed on the inmate as a requirement of the community work
9 program or work release participation.

10 (d) This subsection shall not apply to an inmate who:

- 11 1. Is not eligible for work release pursuant to KRS 197.140;
- 12 2. Has a maximum or close security classification as defined by
13 administrative regulations promulgated by the Department of
14 Corrections;
- 15 3. Is subject to the provisions of KRS 532.043; or
- 16 4. Is in a reentry center as defined in KRS 441.005.

17 ➔Section 5. Section 4 of this Act takes effect January 1, 2019.

18 ➔Section 6. KRS 403.725 is amended to read as follows:

19 (1) A petition for an order of protection may be filed by:

- 20 (a) A victim of domestic violence and abuse; or
- 21 (b) An adult on behalf of a victim who is a minor otherwise qualifying for relief
22 under this subsection.

23 (2) The petition may be filed in the victim's county of residence or a county where the
24 victim has fled to escape domestic violence and abuse.

25 (3) The petition shall be verified and contain:

- 26 (a) The name, age, address, occupation, residence, and school or postsecondary
27 institution of the petitioner;

- 1 (b) The name, age, address, occupation, residence, and school or postsecondary
2 institution of the person or persons who have engaged in the alleged act or
3 acts complained of in the petition;
- 4 (c) The facts and circumstances which constitute the basis for the petition;
- 5 (d) The date and place of the marriage of the parties, if applicable; and
- 6 (e) The names, ages, and addresses of the petitioner's minor children, if
7 applicable.
- 8 (4) The petition shall be filed on forms prescribed by the Administrative Office of the
9 Courts and provided to the person seeking relief by the circuit clerk or by another
10 individual authorized by the court to provide and verify petitions in emergency
11 situations, such as law enforcement officers, ~~and~~ Commonwealth's or county
12 attorneys, and regional rape crisis centers or domestic violence shelters.
- 13 (5) All petitions requested, completed, and signed by persons seeking protection under
14 this chapter shall be accepted and filed with the court.
- 15 (6) (a) Jurisdiction over petitions filed under this chapter shall be concurrent between
16 the District Court and Circuit Court and a petition may be filed by a petitioner
17 in either court, except that a petition shall be filed in a family court if one has
18 been established in the county where the petition is filed.
- 19 (b) The Court of Justice shall provide a protocol for twenty-four (24) hour access
20 to orders of protection in each county with any protocol, whether statewide or
21 local, being subject to Supreme Court review and approval of the initial
22 protocol and any subsequent amendments. This protocol may allow for
23 petitions to be filed in or transferred to a court other than those specified in
24 paragraph (a) of this subsection.
- 25 (c) The Court of Justice may authorize by rule that petitions in a specific county
26 be filed in accordance with a supplemental jurisdictional protocol adopted for
27 that county. This protocol may provide for petitions to be filed in or

1 transferred to a court other than those specified in paragraph (a) of this
2 subsection.

3 **(d) 1. In addition to the protocols for twenty-four (24) hour access**
4 **established under paragraphs (b) and (c) of this subsection, before**
5 **January 1, 2019, the Court of Justice shall provide protocols for filing,**
6 **including electronic filing, of petitions for orders of protection at those**
7 **regional rape crisis centers designated under KRS 211.600, or**
8 **regional domestic violence shelters designated under KRS 209A.045,**
9 **that elect to participate in any county's twenty-four (24) hour access**
10 **protocol.**

11 **2. These protocols shall be subject to Supreme Court review for approval**
12 **of the initial protocol and any subsequent amendments.**

13 (7) Any judge to whom a petition is referred under subsection (6) of this section shall
14 have full authority to review and hear a petition and subsequently grant and enforce
15 an order of protection.

16 (8) If the judge of a court in which there is a pending request for modification or
17 enforcement of an existing order of protection is unavailable or unable to act within
18 a reasonable time, the proceedings may be conducted by any judge of the county in
19 accordance with court rules.

20 ➔Section 7. KRS 456.030 is amended to read as follows:

21 (1) A petition for an interpersonal protective order may be filed by:

22 (a) A victim of dating violence and abuse;

23 (b) A victim of stalking;

24 (c) A victim of sexual assault; or

25 (d) An adult on behalf of a victim who is a minor otherwise qualifying for relief
26 under this subsection.

27 (2) The petition may be filed in the victim's county of residence or a county where the

- 1 victim has fled to escape dating violence and abuse, stalking, or sexual assault.
- 2 (3) The petition shall be verified and contain:
- 3 (a) The name, age, address, occupation, residence, and school or postsecondary
4 institution of the petitioner;
- 5 (b) The name, age, address, occupation, residence, and school or postsecondary
6 institution of the person or persons who have engaged in the alleged act or
7 acts complained of in the petition;
- 8 (c) The facts and circumstances which constitute the basis for the petition; and
- 9 (d) The names, ages, and addresses of the petitioner's minor children, if
10 applicable.
- 11 (4) The petition shall be filed on forms prescribed by the Administrative Office of the
12 Courts and provided to the person seeking relief by the circuit clerk or by another
13 individual authorized by the court to provide and verify petitions in emergency
14 situations, such as law enforcement officers, ~~and~~ Commonwealth's or county
15 attorneys, and regional rape crisis centers or domestic violence shelters.
- 16 (5) All petitions requested, completed, and signed by persons seeking protection under
17 this chapter shall be accepted and filed with the court.
- 18 (6) (a) Jurisdiction over petitions filed under this chapter shall be concurrent between
19 the District Court and Circuit Court.
- 20 (b) The Court of Justice shall provide a protocol for twenty-four (24) hour access
21 to interpersonal protective orders in each county with any protocol, whether
22 statewide or local, being subject to Supreme Court review and approval of the
23 initial protocol and any subsequent amendments. This protocol may allow for
24 petitions to be filed in or transferred to a court other than those specified in
25 paragraph (a) of this subsection.
- 26 (c) The Court of Justice may authorize by rule that petitions in a specific county
27 be filed in accordance with a supplemental jurisdictional protocol adopted for

1 that county. This protocol may provide for petitions to be filed in or
 2 transferred to a court other than those specified in paragraph (a) of this
 3 subsection.

4 **(d) 1. In addition to the protocols for twenty-four (24) hour access**
 5 **established under paragraphs (b) and (c) of this subsection, before**
 6 **January 1, 2019, the Court of Justice shall provide protocols for filing,**
 7 **including electronic filing, of petitions for orders of protection at those**
 8 **regional rape crisis centers designated under KRS 211.600, or**
 9 **regional domestic violence shelters designated under KRS 209A.045,**
 10 **that elect to participate in any county's twenty-four (24) hour access**
 11 **protocol.**

12 **2. These protocols shall be subject to Supreme Court review for approval**
 13 **of the initial protocol and any subsequent amendments.**

14 (7) Any judge to whom a petition is referred under subsection (6) of this section shall
 15 have full authority to review and hear a petition and subsequently grant and enforce
 16 an interpersonal protective order.

17 (8) If the judge of a court in which there is a pending request for modification or
 18 enforcement of an existing order of protection is unavailable or unable to act within
 19 a reasonable time, the proceedings may be conducted by any judge of the county in
 20 accordance with court rules.

21 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 439 IS CREATED TO
 22 READ AS FOLLOWS:

23 **(1) As used in this section:**

24 **(a) "Eligible person" means a person who is:**

25 **1. A pregnant woman;**

26 **2. Reasonably believed by a court or the department to have a substance**
 27 **use disorder;**

1 3. Not charged or convicted of an offense that would qualify the person
2 as a violent offender under KRS 439.3401; and

3 4. Not charged or convicted of an offense under KRS Chapter 510, KRS
4 529.100 involving commercial sexual activity, KRS 530.020,
5 530.064(1)(a), 531.310, or 531.320; and

6 (b) "Pregnancy release conditions" means conditions of release set by a court
7 or the department for eligible persons which shall include:

8 1. Completing inpatient residential treatment for substance use
9 disorders;

10 2. Not being charged with a new local, state, or federal misdemeanor or
11 felony offense;

12 3. If not yet sentenced, appearing for all required court appearances;

13 4. If not yet sentenced, avoiding all contact with any alleged victim and
14 any potential witness who may testify concerning the charge, unless or
15 until the court removes this condition; and

16 5. If not yet sentenced, maintaining a current address with the court.

17 (2) Except as provided in subsection (3) of this section and notwithstanding any
18 other statute to the contrary, when an eligible person is charged or convicted of
19 any violation of KRS Chapter 218A, the person shall be released from custody
20 upon her own recognizance so long as the person successfully meets the
21 pregnancy release conditions. If the pregnancy release conditions are violated,
22 the eligible person shall be returned to custody to await sentencing or to serve the
23 sentence for the original conviction under KRS Chapter 218A as well as the
24 sentence for any subsequent charges or convictions, if any.

25 (3) If an eligible person is housed in a jail that provides treatment for substance use
26 disorders or in a jail that transports prisoners for treatment, this section shall not
27 apply.

1 ➔Section 9. KRS 431.517 is amended to read as follows:

2 (1) Except as provided in this section, home incarceration may be ordered as a form of
3 pretrial release, subject to the conditions imposed by the provisions of KRS 532.200
4 to 532.250.

5 (2) **No defendant charged with an offense under KRS Chapter 507 may be released**
6 **on home incarceration unless the court makes a finding that the defendant would**
7 **not pose a threat to society.**

8 (3) A court ordering home incarceration as a form of pretrial release pursuant to this
9 section may order the defendant to participate in a global positioning monitoring
10 system program during all or part of the time of pretrial release through the use of a
11 county-operated program pursuant to KRS 67.372 and 67.374 and not a program
12 operated by the Department of Corrections pursuant to KRS 532.210 to 532.250.

13 ~~(4)~~~~(3)~~ A court ordering global positioning monitoring system program participation
14 for a defendant pursuant to this section shall:

15 (a) Require the defendant to pay all or the part of the monitoring costs based on
16 the sliding scale adopted by the Supreme Court of Kentucky as specified in
17 KRS 403.761 and administrative costs for participating in the system;

18 (b) Provide the monitoring system with a written or electronic copy of the
19 conditions of release; and

20 (c) Provide the monitoring system with a contact at the office of the circuit clerk,
21 Commonwealth's attorney, or county attorney, as appropriate, or pretrial
22 release services for reporting violations of the monitoring order.

23 ~~(5)~~~~(4)~~ A person, county, or other organization may voluntarily agree to pay all or a
24 portion of a defendant's monitoring costs specified in KRS 403.761.

25 ➔Section 10. KRS 439.3401 is amended to read as follows:

26 (1) As used in this section, "violent offender" means any person who has been
27 convicted of or pled guilty to the commission of:

- 1 (a) A capital offense;
- 2 (b) A Class A felony;
- 3 (c) A Class B felony involving the death of the victim or serious physical injury
4 to a victim;
- 5 (d) An offense described in KRS 507.040 or 507.050 where the offense involves
6 the killing of a peace officer or firefighter while the officer or firefighter was
7 acting in the line of duty;
- 8 (e) *A Class B felony involving criminal attempt to commit murder under KRS*
9 *506.010 if the victim of the offense is a clearly identifiable peace officer or*
10 *firefighter acting in the line of duty, regardless of whether an injury results;*
- 11 ~~(f)~~ The commission or attempted commission of a felony sexual offense
12 described in KRS Chapter 510;
- 13 ~~(g)~~~~(f)~~ Use of a minor in a sexual performance as described in KRS 531.310;
- 14 ~~(h)~~~~(g)~~ Promoting a sexual performance by a minor as described in KRS
15 531.320;
- 16 ~~(i)~~~~(h)~~ Unlawful transaction with a minor in the first degree as described in
17 KRS 530.064(1)(a);
- 18 ~~(j)~~~~(i)~~ Human trafficking under KRS 529.100 involving commercial sexual
19 activity where the victim is a minor;
- 20 ~~(k)~~~~(j)~~ Criminal abuse in the first degree as described in KRS 508.100;
- 21 ~~(l)~~~~(k)~~ Burglary in the first degree accompanied by the commission or
22 attempted commission of an assault described in KRS 508.010, 508.020,
23 508.032, or 508.060;
- 24 ~~(m)~~~~(l)~~ Burglary in the first degree accompanied by commission or attempted
25 commission of kidnapping as prohibited by KRS 509.040; or
- 26 ~~(n)~~~~(m)~~ Robbery in the first degree.
- 27 The court shall designate in its judgment if the victim suffered death or serious

1 physical injury.

2 (2) A violent offender who has been convicted of a capital offense and who has
3 received a life sentence (and has not been sentenced to twenty-five (25) years
4 without parole or imprisonment for life without benefit of probation or parole), or a
5 Class A felony and receives a life sentence, or to death and his or her sentence is
6 commuted to a life sentence shall not be released on probation or parole until he or
7 she has served at least twenty (20) years in the penitentiary. Violent offenders may
8 have a greater minimum parole eligibility date than other offenders who receive
9 longer sentences, including a sentence of life imprisonment.

10 (3) (a) A violent offender who has been convicted of a capital offense or Class A
11 felony with a sentence of a term of years or Class B felony shall not be
12 released on probation or parole until he has served at least eighty-five percent
13 (85%) of the sentence imposed.

14 (b) A violent offender who has been convicted of a violation of KRS 507.040
15 where the victim of the offense was clearly identifiable as a peace officer or a
16 firefighter and the victim was acting in the line of duty shall not be released on
17 probation or parole until he or she has served at least eighty-five percent
18 (85%) of the sentence imposed.

19 (c) A violent offender who has been convicted of a violation of KRS 507.040 or
20 507.050 where the victim of the offense was a peace officer or a firefighter
21 and the victim was acting in the line of duty shall not be released on probation
22 or parole until he or she has served at least fifty percent (50%) of the sentence
23 imposed.

24 (d) Any offender who has been convicted of a homicide or fetal homicide offense
25 under KRS Chapter 507 or 507A in which the victim of the offense died as the
26 result of an overdose of a Schedule I controlled substance and who is not
27 otherwise subject to paragraph (a), (b), or (c) of this subsection shall not be

1 released on probation, shock probation, parole, conditional discharge, or other
2 form of early release until he or she has served at least fifty percent (50%) of
3 the sentence imposed.

4 (4) A violent offender shall not be awarded any credit on his sentence authorized by
5 KRS 197.045(1)(b)1. In no event shall a violent offender be given credit on his or
6 her sentence if the credit reduces the term of imprisonment to less than eighty-five
7 percent (85%) of the sentence.

8 (5) This section shall not apply to a person who has been determined by a court to have
9 been a victim of domestic violence or abuse pursuant to KRS 533.060 with regard
10 to the offenses involving the death of the victim or serious physical injury to the
11 victim. The provisions of this subsection shall not extend to rape in the first degree
12 or sodomy in the first degree by the defendant.

13 (6) This section shall apply only to those persons who commit offenses after July 15,
14 1998.

15 (7) For offenses committed prior to July 15, 1998, the version of this statute in effect
16 immediately prior to that date shall continue to apply.

17 (8) The provisions of subsection (1) of this section extending the definition of "violent
18 offender" to persons convicted of or pleading guilty to robbery in the first degree
19 shall apply only to persons whose crime was committed after July 15, 2002.

20 ➔Section 11. KRS 441.127 is amended to read as follows:

21 (1) The jailer or correctional services department shall grant sentence credits to inmates
22 confined in the county jail on conviction of misdemeanor charges.

23 (2) Credit, if granted, shall be uniform and shall be based on the following:

24 (a) For labor performed without the jail in a community service program or
25 within the jail for the maintenance of the jail or for the operation of jail
26 services such as food service:

27 1. For every eight (8) full hours of work, one (1) sentence credit shall be

1 earned; and

2 2. For every five (5) of sentence credits earned, one (1) day of the sentence
3 to be served by the inmate shall be deducted;

4 (b) For successfully receiving a general equivalency diploma or a high school
5 diploma, a service credit of ninety (90)~~thirty (30)~~ days shall be earned;

6 **(c) For each day an inmate participates in a drug treatment program or other**
7 **evidence-based program approved by the department, a service credit of one**
8 **(1) day shall be earned;**

9 **(d) For performing exceptionally meritorious service, performing duties of**
10 **outstanding importance in connection with the jail's operations and**
11 **programs, or performing acts of exceptional service during times of**
12 **emergency, an amount not to exceed seven (7) days per act shall be earned,**
13 **to be determined by the jailer or chief executive of the jail for the conduct of**
14 **the inmate;** and

15 ~~(e)~~ For good behavior, an amount not to exceed ten (10)~~five (5)~~ days shall
16 be earned for each month served, to be determined by the jailer or chief
17 executive of the jail for the conduct of the inmate.

18 **(3)** Sentence credits shall be deducted from the maximum expiration date of the
19 sentence.

20 ~~(4)~~~~(3)~~ If an inmate violates the rules of the jail or engages in other misconduct the
21 jailer or correctional services department may withdraw sentence credits earned by
22 the inmate. The jailer or correctional services department shall maintain a list of
23 offenses and penalties for the ten (10) most common offenses and rule violations.

24 ➔Section 12. This Act shall be known as the Women's Dignity in the Justice
25 System Act.