

23A.205 Court costs for criminal cases in Circuit Court -- Payment required -- Exceptions.

- (1) Court costs for a criminal case in the Circuit Court shall be one hundred dollars (\$100).
- (2) The taxation of court costs against a defendant, upon conviction in a case, shall be mandatory and shall not be subject to probation, suspension, proration, deduction, or other form of nonimposition in the terms of a plea bargain or otherwise, unless the court finds that the defendant is a poor person as defined by KRS 453.190(2) and that he or she is unable to pay court costs and will be unable to pay the court costs in the foreseeable future.
- (3) If the court finds that the defendant does not meet the standard articulated in subsection (2) of this section and that the defendant is nonetheless unable to pay the full amount of the court costs and fees at the time of sentencing, then the court shall establish a show cause date by which time the court costs, fees, and fines shall be paid and may establish an installment payment plan whereby the defendant pays the full amount of the court costs, fees, and fines to the circuit clerk in installments as established by the court. All court costs and fees under the installment plan shall be paid within one (1) year of the date of sentencing notwithstanding any remaining restitution or other monetary penalty owed by the defendant and arising out of the conviction. Installment payments will be applied first to court costs, then to restitution, then to fees, and then to fines.

Effective: August 1, 2002

History: Amended 2002 Ky. Acts ch. 183, sec. 1, effective August 1, 2002. -- Amended 2000 Ky. Acts ch. 328, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 606, sec. 43, effective July 15, 1998. -- Amended 1984 Ky. Acts ch. 321, sec. 2, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 200, sec. 5, effective June 17, 1978. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 22, sec. 58, effective January 2, 1978.