

434.710 Sufficiency of evidence as to presumptions.

When KRS 434.550 to 434.730 establishes a presumption with respect to any fact which is an element of a crime, it has the following consequences:

- (1) When there is sufficient evidence of the facts which give rise to the presumption to go to the jury, the issue of the existence of the presumed facts must be submitted to the jury, unless the court is satisfied that the evidence as a whole clearly negatives the presumed facts; and
- (2) When the issue of the existence of the presumed fact is submitted to the jury, the court shall charge that while the presumed fact, must, on all the evidence, be proven beyond a reasonable doubt, the law declares that the jury may regard the facts giving rise to the presumption as sufficient evidence of the presumed fact.

History: Created 1970 Ky. Acts ch. 83, sec. 17.