

**509.040 Kidnapping.**

- (1) A person is guilty of kidnapping when he unlawfully restrains another person and when his intent is:
  - (a) To hold him for ransom or reward; or
  - (b) To accomplish or to advance the commission of a felony; or
  - (c) To inflict bodily injury or to terrorize the victim or another; or
  - (d) To interfere with the performance of a governmental or political function; or
  - (e) To use him as a shield or hostage; or
  - (f) To deprive the parents or guardian of the custody of a minor, when the person taking the minor is not a person exercising custodial control or supervision of the minor as the term "person exercising custodial control or supervision" is defined in KRS 600.020.
- (2) Kidnapping is a Class B felony when the victim is released alive and in a safe place prior to trial, except as provided in this section. Kidnapping is a Class A felony when the victim is released alive but the victim has suffered serious physical injury during the kidnapping, or as a result of not being released in a safe place, or as a result of being released in any circumstances which are intended, known or should have been known to cause or lead to serious physical injury. Kidnapping is a capital offense when the victim is not released alive or when the victim is released alive but subsequently dies as a result of:
  - (a) Serious physical injuries suffered during the kidnapping; or
  - (b) Not being released in a safe place; or
  - (c) Being released in any circumstances which are intended, known or should have been known to cause or lead to the victim's death.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 120, sec. 1, effective July 15, 2002. -- Amended 1980 Ky. Acts ch. 48, sec. 1, effective July 15, 1980. -- Created 1974 Ky. Acts ch. 406, sec. 76, effective January 1, 1975.