

**532.400 Postincarceration supervision -- Violation -- Exclusions.**

- (1) In addition to the penalties authorized by law, any person who:
  - (a) Is convicted of a capital offense or a Class A felony;
  - (b) Has a maximum or close security classification as defined by administrative regulations promulgated by the department; or
  - (c) Is not eligible for parole by statute;shall be subject to a period of postincarceration supervision following release from incarceration upon expiration of sentence or completion of parole.
- (2) The period of postincarceration supervision shall be one (1) year.
- (3) During the period of postincarceration supervision, the defendant shall:
  - (a) Be subject to all orders specified by the Department of Corrections; and
  - (b) Comply with all education, treatment, testing, or combination thereof required by the Department of Corrections.
- (4) Persons under postincarceration supervision pursuant to this section shall be subject to the supervision of the Division of Probation and Parole and under the authority of the Parole Board.
- (5) If a person violates a provision specified in subsection (3) of this section, the violation shall be reported in writing by the Division of Probation and Parole. Notice of the violation shall be sent to the Parole Board to determine whether probable cause exists to revoke the defendant's postincarceration supervision and reincarcerate the defendant as set forth in KRS 532.060.
- (6) The provisions of this section shall not apply to a person who is subject to the provisions of KRS 532.043.
- (7) The provisions of this section shall apply only to persons convicted, pleading guilty, or entering an Alford plea for an offense committed after June 8, 2011.

**Effective:** June 8, 2011

**History:** Created 2011 Ky. Acts ch. 2, sec. 35, effective June 8, 2011.