

439.3403 Reconsideration of parole of inmate given deferment or serve-out longer than sixty months -- Exceptions -- Hearings.

- (1) Except as provided in subsection (2) of this section, the board shall reconsider the parole of any prisoner as of June 8, 2011, who was given a deferment or serve-out of longer than sixty (60) months at the prisoner's most recent parole hearing.
- (2) No reconsideration shall be required under this section for any prisoner who has received a deferment or serve-out of longer than sixty (60) months if:
 - (a) The deferment or serve-out was approved by a majority vote of the full board; or
 - (b) The prisoner stands convicted of a criminal offense currently defined as a violent offense in KRS 439.3401 or as a sex crime in KRS 17.500, regardless of the date the crime was committed or the date of conviction.
- (3) The board shall schedule parole hearings for prisoners eligible for reconsideration of parole under this section according to the following schedule:
 - (a) For a prisoner who has served less than sixty (60) months of his or her sentence as of June 8, 2011, the board shall schedule and conduct a parole hearing during the month the prisoner has served sixty (60) months of his or her sentence; and
 - (b) For a prisoner who has served more than sixty (60) months of his or her sentence as of June 8, 2011, the board shall schedule and conduct a parole hearing within twelve (12) months of June 8, 2011.
- (4) The department shall provide all necessary assistance and information to the board in accordance with KRS 439.340 in order for the board to conduct timely hearings under subsection (1) of this section.
- (5) Parole hearings required under subsection (1) of this section shall be conducted in accordance with and subject to the provisions of KRS 439.250 to 439.560, including but not limited to the requirements relating to notification of victims, the authority of the board to conduct hearings by panels of the board, and the requirement to keep records relating to the hearings.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 2, sec. 33, effective June 8, 2011.