

### **509.070 Custodial interference.**

- (1) A person is guilty of custodial interference when, knowing that he has no legal right to do so, he takes, entices or keeps from lawful custody any mentally disabled or other person entrusted by authority of law to the custody of another person or to an institution.
- (2) It is a defense to custodial interference that the person taken from lawful custody was returned by the defendant voluntarily and before arrest or the issuance of a warrant for arrest.
- (3) Custodial interference is a Class D felony unless the person taken from lawful custody is returned voluntarily by the defendant.

**Effective:** July 13, 1984

**History:** Amended 1984 Ky. Acts ch. 79, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 141, sec. 134, effective July 1, 1982. -- Created 1974 Ky. Acts ch. 406, sec. 79, effective January 1, 1975.

**Note:** 1980 Ky. Acts ch. 396, sec. 146 would have amended this section effective July 1, 1982. However, 1980 Ky. Acts ch. 396 was repealed by 1982 Ky. Acts ch. 141, sec. 146, also effective July 1, 1982.