

421.520 Victim impact statement. (Effective November 6, 2018, if contingency met. See LRC note below.)

- (1) The attorney for the Commonwealth shall notify the victim that, upon conviction of the defendant, the victim has the right to submit a written victim impact statement to the probation officer responsible for preparing the presentence investigation report for inclusion in the report or to the court should such a report be waived by the defendant.
- (2) The impact statement may contain, but need not be limited to, a description of the nature and extent of any physical, psychological or financial harm suffered by the victim, the victim's need for restitution and whether the victim has applied for or received compensation for financial loss, and the victim's recommendation for an appropriate sentence.
- (3) The victim impact statement shall be considered by the court prior to any decision on the sentencing or release, including shock probation, of the defendant.

Effective: November 6, 2018, if contingency met

History: Repealed and reenacted 2018 Ky. Acts ch. 19, sec. 4, effective November 6, 2018, if contingency met. -- Created 1986 Ky. Acts ch. 212, sec. 3, effective July 15, 1986.

Legislative Research Commission Note (3/23/2018). 2018 Ky. Acts ch. 19, sec. 8, provides that the repeal and reenactment of this section in that Act "shall take effect only upon the ratification, in the general election of November 6, 2018, of a Constitutional amendment providing for the protection of crime victims' rights. If such an amendment is not ratified, this Act shall be void."