

421.530 Submission of victim impact statement to parole board -- Duties of parole board.

- (1) If a defendant is sentenced to a period of incarceration and his or her release is subject to the authority of the parole board, the victim may submit a written impact statement to the parole board that it shall consider when making a decision on the release of the defendant.
- (2) The impact statement may contain, but need not be limited to, a description of the long-term consequences of the crime, including but not necessarily limited to, the physical, psychological, and financial harm suffered by the victim, and whether the victim has applied for or received compensation for financial loss.

Effective: November 3, 2020

History: Repealed and reenacted 2020 Ky. Acts ch. 101, sec. 5, effective November 3, 2020. -- Created 1986 Ky. Acts ch. 212, sec. 4, effective July 15, 1986.

Legislative Research Commission Note (11/3/2020). 2020 Ky. Acts ch. 101, sec. 8, provides that the repeal and reenactment of this statute in Section 5 of that Act "shall take effect only upon the ratification, in the general election of November 3, 2020, of a Constitutional amendment providing for the protection of crime victims' rights. If such an amendment is not ratified, this Act shall be void. The proposed amendment was ratified, effective November 3, 2020, becoming Kentucky Constitution Section 26A."

Legislative Research Commission Note (6/13/2019). 2018 Ky. Acts ch. 19, sec. 8, provides that the repeal and reenactment of this statute 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." On June 13, 2019, the Kentucky Supreme Court ruled that the language of the proposed amendment was not properly submitted to the voters at that election and, therefore, its ratification was void under Section 256 of the Kentucky Constitution. Consequently, the repeal and reenactment of this statute in 2019 Ky. Acts ch. 19, sec. 5, was not given effect.