

431.517 Authorization for home incarceration as a form of pretrial release -- Court ordered participation of global positioning monitoring system -- Costs.

- (1) Except as provided in this section, home incarceration may be ordered as a form of pretrial release, subject to the conditions imposed by the provisions of KRS 532.200 to 532.250.
- (2) No defendant charged with an offense under KRS Chapter 507 may be released on home incarceration unless the court makes a finding that the defendant would not pose a threat to society.
- (3) A court ordering home incarceration as a form of pretrial release pursuant to this section may order the defendant to participate in a global positioning monitoring system program during all or part of the time of pretrial release through the use of a county-operated program pursuant to KRS 67.372 and 67.374 and not a program operated by the Department of Corrections pursuant to KRS 532.210 to 532.250.
- (4) A court ordering global positioning monitoring system program participation for a defendant pursuant to this section shall:
 - (a) Require the defendant to pay all or the part of the monitoring costs based on the sliding scale adopted by the Supreme Court of Kentucky as specified in KRS 403.761 and administrative costs for participating in the system;
 - (b) Provide the monitoring system with a written or electronic copy of the conditions of release; and
 - (c) Provide the monitoring system with a contact at the office of the circuit clerk, Commonwealth's attorney, or county attorney, as appropriate, or pretrial release services for reporting violations of the monitoring order.
- (5) A person, county, or other organization may voluntarily agree to pay all or a portion of a defendant's monitoring costs specified in KRS 403.761.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 115, sec. 9, effective July 14, 2018. -- Amended 2010 Ky. Acts ch. 170, sec. 11, effective July 15, 2010. -- Created 1996 Ky. Acts ch. 45, sec. 1, effective July 15, 1996.

Legislative Research Commission Note (7/14/2018). Pursuant to 2018 Ky. Acts ch. 115, sec. 12, that Act shall be known as the Women's Dignity in the Justice System Act. This statute was amended in Section 9 of that Act.