

### **506.135 Definitions for chapter.**

As used in this chapter:

- (1) "Criminal gang" means any alliance, network, conspiracy, or group that:
  - (a) Consists of three (3) or more persons who have any of the following in common:
    1. Name;
    2. Identifying hand signal or sign;
    3. Colors;
    4. Symbols;
    5. Geographical location; or
    6. Leader;
  - (b) Has been identified or prosecuted as a gang by the Commonwealth, or another state or any federal law enforcement agency; and
  - (c) Has two (2) or more members who, individually or collectively, through its members or actions of its members engage in or have engaged in a pattern of criminal activity.

"Criminal gang" does not include fraternal organizations, unions, corporations, associations, or similar entities, unless organized for the primary purpose of engaging in criminal activity; and

- (2) "Pattern of criminal gang activity" means acts performed on separate occasions within a five (5) year period by any member or members of a criminal gang for the commission, attempt, or solicitation of, or conspiracy to commit:
  - (a) Two (2) or more felony offenses;
  - (b) Three (3) or more of the misdemeanor offenses enumerated in KRS 506.160; or
  - (c) A combination of at least:
    1. One (1) felony offense; and
    2. One (1) of the misdemeanor offenses enumerated in KRS 506.160.

**Effective:** April 26, 2018

**History:** Created 2018 Ky. Acts ch. 202, sec. 1, effective April 26, 2018.