

367.46991 Burden of proving exemption or defense on claimant.

In a civil proceeding alleging a violation of KRS 367.46951 to 367.46999, the burden of proving an exemption shall be on the person claiming the exemption, and in a criminal proceeding alleging a violation of KRS 367.46951 to 367.46999, the burden of producing evidence to support a defense based on an exemption shall be on the person claiming the exemption.

Effective: July 15, 1994

History: Created 1994 Ky. Acts ch. 302, sec. 13, effective July 15, 1994; and ch. 463, sec. 13, effective July 15, 1994.

Legislative Research Commission Note (7/15/94). This statute was created by 1994 Ky. Acts chs. 302 and 463, which are substantively identical and have been codified together. Minor variations have been resolved by giving precedence to Acts ch. 463 which was enacted last.