

**35.445 Conviction of lesser included offense.**

An accused may be found guilty of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or of an offense necessarily included therein, but not both.

**History:** Amended 1970 Ky. Acts ch. 56, sec. 57. -- Created 1954 Ky. Acts ch. 99, sec. 88, effective July 1, 1954.