

439.344 Effect of parole time on sentence -- Exceptions.

The period of time spent on parole shall count as a part of the prisoner's sentence, except when a parolee is:

- (1) Returned to prison as a parole violator for a new felony conviction;
- (2) Returned to prison as a parole violator after charges have been filed or an indictment has been returned for a felony offense committed while on parole and the prisoner is subsequently convicted of that offense;
- (3) Returned to prison as a parole violator and is subsequently convicted of a felony offense committed while on parole;
- (4) Returned to prison as a parole violator for absconding from parole supervision, except that the time spent on parole prior to absconding shall count as part of the prisoner's sentence;
- (5) Returned to prison as a parole violator and it is subsequently determined that he or she owes restitution pursuant to KRS 439.563 and has an arrearage on that restitution. Any credit withheld pursuant to this subsection shall be reinstated when the arrearage is paid in full;
- (6) Classified as a violent offender pursuant to KRS 439.3401; or
- (7) A registered sex offender pursuant to KRS 17.500 to 17.580.

Effective: April 12, 2010.

History: Amended 2010 Ky. Acts ch. 107, sec. 6, effective April 12, 2010. -- Amended 2009 Ky. Acts ch. 57, sec. 2, effective June 25, 2009. -- Created 1962 Ky. Acts ch. 82, sec. 2.