

**505.020 Prosecution for multiple offenses.**

- (1) When a single course of conduct of a defendant may establish the commission of more than one (1) offense, he may be prosecuted for each such offense. He may not, however, be convicted of more than one (1) offense when:
  - (a) One offense is included in the other, as defined in subsection (2); or
  - (b) Inconsistent findings of fact are required to establish the commission of the offenses; or
  - (c) The offense is designed to prohibit a continuing course of conduct and the defendant's course of conduct was uninterrupted by legal process, unless the law expressly provides that specific periods of such conduct constitute separate offenses.
- (2) A defendant may be convicted of an offense that is included in any offense with which he is formally charged. An offense is so included when:
  - (a) It is established by proof of the same or less than all the facts required to establish the commission of the offense charged; or
  - (b) It consists of an attempt to commit the offense charged or to commit an offense otherwise included therein; or
  - (c) It differs from the offense charged only in the respect that a lesser kind of culpability suffices to establish its commission; or
  - (d) It differs from the offense charged only in the respect that a less serious injury or risk of injury to the same person, property or public interest suffices to establish its commission.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 44, effective January 1, 1975.