

**506.010 Criminal attempt.**

- (1) A person is guilty of criminal attempt to commit a crime when, acting with the kind of culpability otherwise required for commission of the crime, he:
  - (a) Intentionally engages in conduct which would constitute the crime if the attendant circumstances were as he believes them to be; or
  - (b) Intentionally does or omits to do anything which, under the circumstances as he believes them to be, is a substantial step in a course of conduct planned to culminate in his commission of the crime.
- (2) Conduct shall not be held to constitute a substantial step under subsection (1)(b) unless it is an act or omission which leaves no reasonable doubt as to the defendant's intention to commit the crime which he is charged with attempting.
- (3) A person is guilty of criminal attempt to commit a crime when he engages in conduct intended to aid another person to commit that crime, although the crime is not committed or attempted by the other person, provided that his conduct would establish complicity under KRS 502.020 if the crime were committed by the other person.
- (4) A criminal attempt is a:
  - (a) Class C felony when the crime attempted is a violation of KRS 521.020 or 521.050;
  - (b) Class B felony when the crime attempted is a Class A felony or capital offense;
  - (c) Class C felony when the crime attempted is a Class B felony;
  - (d) Class A misdemeanor when the crime attempted is a Class C or D felony;
  - (e) Class B misdemeanor when the crime attempted is a misdemeanor.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 477, sec. 2, effective July 15, 1994. -- Created 1974 Ky. Acts ch. 406, sec. 49, effective January 1, 1975.