

TITLE XIII: GENERAL OFFENSES

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CHAPTER 130. OFFENSES AGAINST PERSONS

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common offenses against persons. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 130.01 OFFENSES AGAINST PERSONS TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Assault		
First degree	KRS 508.010	B felony
Second degree	KRS 508.020	C felony
Third degree	KRS 508.025	D felony
Fourth degree	KRS 508.030	A misdemeanor
Under emotional disturbance	KRS 508.040	B misdemeanor or D felony
Criminal abuse		
First degree	KRS 508.100	C felony
Second degree	KRS 508.110	D felony
Third degree	KRS 508.120	A misdemeanor
Criminal coercion	KRS 509.080	A misdemeanor
Custodial interference	KRS 509.070	D felony
Kidnapping	KRS 509.040	A or B felony; capital offense

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<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Manslaughter		
First degree	KRS 507.030	B felony
Second degree	KRS 507.040	C felony
Menacing	KRS 508.050	B misdemeanor
Murder	KRS 507.020	Capital offense
Reckless homicide	KRS 507.050	D felony
Terroristic threatening	KRS 508.080	A misdemeanor
Unlawful imprisonment		
First degree	KRS 509.020	D felony
Second degree	KRS 509.030	A misdemeanor
Wanton endangerment		
First degree	KRS 508.060	D felony
Second degree	KRS 508.070	A misdemeanor

(Prior Code, Ch. 130) Penalty, see Ch. 139

Section

131.01 Family offenses table **CHAPTER 131: FAMILY OFFENSES**

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common family offenses. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 131.01 FAMILY OFFENSES TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Bigamy	KRS 530.010	D felony
Concealing birth of infant	KRS 530.030	A misdemeanor
Incest	KRS 530.020	A, B, or C felony
Incompetent person, endangering welfare of	KRS 530.080	A misdemeanor
Minors		
Abandonment of	KRS 530.040	D felony
Endangering welfare of	KRS 530.060	A misdemeanor
Unlawful transaction with		
First degree	KRS 530.064	A, B or C felony
Second degree	KRS 530.065	D felony
Third degree	KRS 530.070	A misdemeanor
Nonsupport	KRS 530.050	A misdemeanor
Nonsupport, flagrant	KRS 530.050	D felony

(Prior Code, Ch. 131) Penalty, see Ch. 139

Section

132.01 Offenses against property table **CHAPTER 132. OFFENSES AGAINST PROPERTY**

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common offenses against property. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 132.01 OFFENSES AGAINST PROPERTY TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Arson		
Defrauding insurer	KRS 513.060	D felony
First degree	KRS 513.020	A felony
Second degree	KRS 513.030	B felony
Third degree	KRS 513.040	D felony
Burglary		
First degree	KRS 511.020	B felony
Second degree	KRS 511.030	C felony
Third degree	KRS 511.040	D felony
Possession of burglar's tools	KRS 511.050	A misdemeanor
Criminal mischief		
First degree	KRS 512.020	D felony
Second degree	KRS 512.030	A misdemeanor
Third degree	KRS 512.040	B misdemeanor

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<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Criminal trespass		
First degree	KRS 511.060	A misdemeanor
Second degree	KRS 511.070	B misdemeanor
Third degree	KRS 511.080	Violation
Forgery and related offenses		
Criminal simulation	KRS 516.110	A misdemeanor
Forgery		
First degree	KRS 516.020	C felony
Second degree	KRS 516.030	D felony
Third degree	KRS 516.040	A misdemeanor
Possession of forged instrument		
First degree	KRS 516.050	C felony
Second degree	KRS 516.060	D felony
Third degree	KRS 516.070	A misdemeanor
Possession of forgery device	KRS 516.090	D felony
Using slugs		
First degree	KRS 516.120	D felony
Second degree	KRS 516.130	B misdemeanor
Littering, criminal	KRS 512.070	A misdemeanor
Noxious substances		
Criminal possession of	KRS 512.060	B misdemeanor
Criminal use of	KRS 512.050	B misdemeanor
Posting advertisements unlawfully	KRS 512.080	Violation
Robbery		
First degree	KRS 515.020	B felony
Second degree	KRS 515.030	C felony

Offenses Against Property

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Theft and related offenses		
Device for theft of telephone services	KRS 514.065	A misdemeanor or D felony
Obscuring identity of machine	KRS 514.120	A misdemeanor or D felony
Possession of stolen mail	KRS 514.150	D felony
Receiving stolen property	KRS 514.110	A misdemeanor; A, B or D felony
Theft by deception	KRS 514.040	A misdemeanor or D felony
Theft by extortion	KRS 514.080	A misdemeanor or D felony
Theft by failure to make disposition	KRS 514.070	A misdemeanor or D felony
Theft by unlawful taking	KRS 514.030	A misdemeanor; A, B, C or D felony
Theft of labor	KRS 514.090	A misdemeanor or D felony
Theft of mail matter	KRS 514.140	D felony
Theft of property	KRS 514.050	A misdemeanor or D felony
Theft of services	KRS 514.060	A misdemeanor or D felony
Unauthorized use of vehicle	KRS 514.100	A misdemeanor or D felony

(Prior Code, Ch. 132) Penalty, see Ch. 139

CHAPTER 133: OFFENSES AGAINST PUBLIC MORALS

Section

133.01 Offenses against public morals table

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common offenses against public morals. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 133.01 OFFENSES AGAINST PUBLIC MORALS TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Pornography		
Advertising obscene material	KRS 531.050	B misdemeanor
Distribution		
Distribution of obscene matter	KRS 531.020	A or B misdemeanor
Distribution to minor	KRS 531.030	A misdemeanor or D felony
Using minors to distribute	KRS 531.040	A misdemeanor or D felony
Portrayal of sexual performance by minor		
Advertising material containing	KRS 531.360	C or D felony
Distributing matter containing	KRS 531.340	C or D felony
Promoting sale of matter containing	KRS 531.350	A misdemeanor; C or D felony
Using minors to distribute like matter	KRS 531.370	C or D felony
Promoting sale of obscenity	KRS 531.060	A or B misdemeanor; D felony

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<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Sexual performance by minor		
Promotion of	KRS 531.320	A, B or C felony
Use of minor	KRS 531.310	A, B or C felony
Prostitution offenses		
Loitering for prostitution purposes	KRS 529.080	Violation or B misdemeanor
Permitting prostitution	KRS 529.070	B misdemeanor
Promoting prostitution	KRS 529.040	A misdemeanor; D felony
Prostitution	KRS 529.020	B misdemeanor

(Prior Code, Ch. 133) Penalty, see Ch. 139

Section

134.01 Gambling offenses table **CHAPTER 134: GAMBLING OFFENSES**

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common gambling offenses. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 134.01 GAMBLING OFFENSES TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Conspiracy to promote gambling	KRS 528.040	D felony
Horse races, messenger betting prohibited	KRS 528.110	A misdemeanor
Pari-mutuel wagering	KRS 528.120	A misdemeanor
Permitting gambling	KRS 528.070	B misdemeanor
Possession of gambling device	KRS 528.080	A misdemeanor
Possession of gambling records		
First degree	KRS 528.050	D felony
Second degree	KRS 528.060	A misdemeanor
Promoting gambling		
First degree	KRS 528.020	D felony
Second degree	KRS 528.030	A misdemeanor

(Prior Code, Ch. 134) Penalty, see Ch. 139

Section

135.01 Offenses against public administration and justice table

CHAPTER 135: OFFENSES AGAINST PUBLIC ADMINISTRATION AND JUSTICE

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common offenses against public administration and justice. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 135.01 OFFENSES AGAINST PUBLIC ADMINISTRATION AND JUSTICE TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Bribery and related offenses		
Bribery of public servant	KRS 521.020	C felony
Receiving unlawful compensation	KRS 521.040	A misdemeanor
Soliciting unlawful compensation	KRS 521.030	B misdemeanor
Escape and related offenses		
Bail jumping		
First degree	KRS 520.070	D felony
Second degree	KRS 520.080	A misdemeanor
Escape		
First degree	KRS 520.020	C felony
Second degree	KRS 520.030	D felony
Third degree	KRS 520.040	B misdemeanor

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<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Hindering prosecution or apprehension		
First degree	KRS 520.120	D felony
Second degree	KRS 520.130	A misdemeanor
Promoting contraband		
First degree	KRS 520.050	D felony
Second degree	KRS 520.060	A misdemeanor
Resisting arrest	KRS 520.090	A misdemeanor
Resisting order to stop motor vehicle	KRS 520.100	A misdemeanor
Judicial administration, interference with		
Bribe receiving by juror	KRS 524.070	D felony
Bribe receiving by witness	KRS 524.030	D felony
Bribing a juror	KRS 524.060	D felony
Bribing a witness	KRS 524.020	D felony
Intimidating a participant in the legal process	KRS 524.040	D felony
Jury tampering	KRS 524.090	D felony
Retaliating against a participant in the legal process	KRS 524.055	D felony
Simulating legal process	KRS 524.110	B misdemeanor
Tampering with physical evidence	KRS 524.100	D felony
Tampering with a witness	KRS 524.050	D felony
Unlawful practice of law	KRS 524.130	B misdemeanor
Perjury and related offenses		
False swearing	KRS 523.040	B misdemeanor
Perjury		
First degree	KRS 523.020	D felony
Second degree	KRS 523.030	A misdemeanor
Unsworn falsification to authorities	KRS 523.100	B misdemeanor

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Public administration, obstruction of		
Compounding a crime	KRS 519.030	A misdemeanor
Falsely reporting an incident	KRS 519.040	A misdemeanor
Impersonating a public servant	KRS 519.050	A misdemeanor
Obstructing governmental operations	KRS 519.020	A misdemeanor
Tampering with public records	KRS 519.060	D felony
Public office, abuse of		
Misuse of confidential information	KRS 522.040	D felony
Official misconduct		
First degree	KRS 522.020	A misdemeanor
Second degree	KRS 522.030	B misdemeanor

(Prior Code, Ch. 135) Penalty, see Ch. 139

CHAPTER 136: OFFENSES AGAINST PUBLIC ORDER

Section

- 136.01 Curfew
- 136.02 Schedule of statutory offenses

§ 136.01 CURFEW.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLOW. Either permit or neglect to prevent. It requires actual or constructive knowledge on the part of the parent or guardian, that is, the parent or guardian must actually know about the child violating this section, or the circumstances must be such that a reasonably prudent parent or guardian should have known the child was violating this section.

MINOR. Any person under the age of 18, or, as may be otherwise phrased, any person of the age of 17 or under.

PARENT. Any person having legal custody of a minor:

- (a) As a natural or adoptive parent;
- (b) As a legal guardian;
- (c) As a person who stands in loco parentis; or
- (d) Or as a person whom legal custody has been given by order of court.

REMAIN. To stay behind, to tarry or to stay unnecessarily upon or in any public assembly, building, place, street or highway.

(B) (1) It shall be unlawful for any person under the age of 18 to be or remain in or upon any public assembly, building, place, street or highway within the city at night during the following periods:

- (a) From 11:00 p.m. Friday to 6:00 a.m. Saturday;

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- (b) From 11:00 p.m. Saturday to 6:00 a.m. Sunday;
- (c) From 11:00 p.m. Sunday to 6:00 a.m. Monday;
- (d) From 11:00 p.m. Monday to 6:00 a.m. Tuesday;
- (e) From 11:00 p.m. Tuesday to 6:00 a.m. Wednesday;
- (f) From 11:00 p.m. Wednesday to 6:00 a.m. Thursday; or
- (g) From 11:00 p.m. Thursday to 6:00 a.m. Friday.

(2) It shall be unlawful for any parent or guardian having legal custody of a minor to allow the minor to be or remain in, upon a public assembly, building, place, street or highway in the city under circumstances not constituting an exception as enumerated in division (C) below during the time periods contained in division (B)(1) above.

(C) In the following exceptional cases, a minor in or upon any public assembly, building, place, street or highway in the city during the nocturnal hours provided for in division (B) shall not be considered in violation of this section:

- (1) When the minor is accompanied by a parent or guardian;
- (2) When accompanied by an adult authorized by a parent or guardian of the minor;
- (3) When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right to assembly, provided that written notice signed by the minor and countersigned by a parent is in the possession of the minor specifying when, where and in what manner that minor will be exercising the First Amendment rights;
- (4) In case of reasonable necessity but only after the minor's parents have communicated to the Police Department the facts establishing the reasonable necessity;
- (5) When the minor is on the sidewalk and/or pavement of the place where the minor resides, or on the sidewalk/pavement of either next-door neighbor who has not communicated an objection to a police officer or the Police Department;
- (6) When returning home, by a direct route from, and within one hour of the termination of, a school activity, or any activity of a religious or other voluntary association, provided that justification indicating the place and time of termination of the event can be given to any investigating officer of the Police Department;

(7) When authorized by regulation issued by the Mayor in cases of reasonable necessity involving more minors than may reasonably be dealt with on an individual basis. This regulation should be issued sufficiently in advance to permit publicity through news media and through other agencies such as the schools. The regulation shall define the activity, the scope of the use of the public assembly, building, place, street or highway permitted, and the period of time involved not to extend more than one hour beyond the time for termination of the activity, and the reason for finding that the regulation is reasonably necessary. The Mayor shall notify the Police Department of that information;

(8) When engaged in a business or occupation which the laws of Kentucky authorize a person under 18 years of age to perform;

(9) When the minor is, with parental consent, in a motor vehicle with a lawfully authorized driver; or

(10) When the minor who is a duly authorized and licensed driver, is operating a motor vehicle within the city for the purpose of passing through, by direct route, from one location to another either within or out of the city, including all minors that may also be within the vehicle.

(D) (1) A police officer upon finding or being notified of any minor in or upon any public assembly, building, place, street or highway whose parent is believed to be in violation of this section may stop and question the minor and request information such as his or her name and age and the name and address of his or her parent, guardian or person having legal custody.

(2) If the police officer determines or has reasonable cause to believe that a curfew violation has occurred, the police officer may obtain from the minor the information necessary to issue a citation to the minor's parent, guardian or person having legal custody and then either take the minor to his or her home or direct the minor to proceed immediately to his or her home.

(E) Any parent, guardian or person having legal custody allowing a minor to violate division (B)(1) above shall be subject to a fine of no more than \$500 or imprisonment for a period not to exceed six months or both.

(Prior Code, § 136.01) (Am. Ord. 04-2011, passed 7-12-2011)

§ 136.02 SCHEDULE OF STATUTORY OFFENSES.***Editor's note:***

This section contains references to those sections of the Kentucky Revised Statutes which prohibit the most common offenses against public order. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Abuse of corpse	KRS 525.120	D felony
Cruelty to animals		
First degree	KRS 525.125	D felony
Second degree	KRS 525.130	A misdemeanor
Desecration of venerated objects	KRS 525.110	A misdemeanor
Disorderly conduct	KRS 525.060	B misdemeanor
Disrupting meetings or processions	KRS 525.150	B misdemeanor
Eavesdropping and related offenses		
Divulging illegally obtained information	KRS 526.060	A misdemeanor
Eavesdropping	KRS 526.020	D felony
Installing eavesdropping device	KRS 526.030	D felony
Possessing eavesdropping device	KRS 526.040	A misdemeanor
Tampering with private communications	KRS 526.050	A misdemeanor
Failure to disperse	KRS 525.160	B misdemeanor
Firearms and weapons		
Harassing communications	KRS 525.080	B misdemeanor
Harassment	KRS 525.070	Violation; B misdemeanor
Inciting to riot	KRS 525.040	A misdemeanor
Loitering	KRS 525.090	Violation
Obstructing highway or public passage	KRS 525.140	B misdemeanor
Public intoxication	KRS 525.100	B misdemeanor

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Riot		
First degree	KRS 525.020	D felony
Second degree	KRS 525.030	A misdemeanor
Unlawful assembly	KRS 525.050	B misdemeanor

(Prior Code, § 136.02) Penalty, see Ch. 139

Editor's note:

KRS 65.870 prohibits any city from regulating the transfer, ownership, possession, carrying or transportation of firearms, ammunition or components of firearms or combinations thereof.

Section

137.01 Sexual offenses table

CHAPTER 137: SEXUAL OFFENSES

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common sexual offenses. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 137.01 SEXUAL OFFENSES TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Indecent exposure	KRS 510.150	B misdemeanor
Rape		
First degree felony	KRS 510.040	B felony
Second degree	KRS 510.050	C felony
Third degree	KRS 510.060	D felony
Sexual abuse		
First degree	KRS 510.110	C or D felony
Second degree	KRS 510.120	A misdemeanor
Third degree	KRS 510.130	B misdemeanor
Sexual misconduct	KRS 510.140	A misdemeanor
Sodomy		
First degree	KRS 510.070	A or B felony
Second degree	KRS 510.080	C felony

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<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Third degree	KRS 510.090	D felony
Fourth degree	KRS 510.100	A misdemeanor

(Prior Code, Ch. 137) Penalty, see Ch. 139

Section

138.01 Inchoate offenses table

CHAPTER 138: INCHOATE OFFENSES

Editor's note:

This chapter contains references to those sections of the Kentucky Revised Statutes which prohibit the most common inchoate offenses. These citations are intended only as convenient references for enforcement officers in citing offenders under state law. It is not the intention of the municipality to incorporate the statutory provisions in this code of ordinances, and the provisions are specifically not incorporated by reference.

§ 138.01 INCHOATE OFFENSES TABLE.

<i>Offense</i>	<i>KRS Section</i>	<i>Penalty Class</i>
Criminal attempt	KRS 506.010	A or B misdemeanor; B or C felony
Criminal conspiracy	KRS 506.040	A or B misdemeanor; B or C felony
Criminal facilitation	KRS 506.080	A or B misdemeanor; D felony
Criminal solicitation	KRS 506.030	A or B misdemeanor; B or C felony
Criminal syndicate	KRS 506.120	B felony

(Prior Code, Ch. 138) Penalty, see Ch. 139

Section

- 139.01 Fines for misdemeanors and violations
- 139.02 Sentence of imprisonment for misdemeanor
- 139.03 Fines for felonies
- 139.04 Sentence of imprisonment for felony

Editor's note:

This chapter is included for informational purposes only. The provisions of this chapter are specifically not incorporated by reference.

§ 139.01 FINES FOR MISDEMEANORS AND VIOLATIONS.

(A) Fines and imprisonment for misdemeanors shall not be mutually exclusive. In any case where imprisonment is authorized a fine may be levied in addition to the imprisonment or a fine may be levied as an alternative to imprisonment. Similarly, a fine may be levied in lieu of imprisonment. Whether or not the fine is to be levied as the sole penalty or as an additional or alternative penalty shall be in the discretion of the judge or jury as the case may be. If the trial is by jury then the jury shall have the discretion. This rule shall apply in all cases where a fine is not the exclusive penalty authorized by law.

(B) Except as otherwise provided for an offense defined outside this title, a person who has been convicted of any offense other than a felony may be sentenced to pay a fine in an amount not to exceed:

- (1) For a Class A misdemeanor: \$500;
- (2) For a Class B misdemeanor: \$250; or
- (3) For a violation: \$250.

(C) This section does not apply to a corporation.
(KRS 534.040) (Prior Code, § 139.01)

§ 139.02 SENTENCE OF IMPRISONMENT FOR MISDEMEANOR.

A sentence of imprisonment for a misdemeanor shall be a definite term and shall be fixed within the following maximum limitations:

(A) For a Class A misdemeanor, the term shall not exceed 12 months; and

(B) For a Class B misdemeanor, the term shall not exceed 90 days.

(KRS 532.090) (Prior Code, § 139.02)

§ 139.03 FINES FOR FELONIES.

(A) Except as otherwise provided for an offense defined outside this title, a person who has been convicted of any felony and granted a sentence of probation or conditional discharge may be sentenced to pay a fine in an amount not to exceed \$10,000 or double his or her gain from commission of the offense, whichever is the greater.

(B) In determining the amount and method of paying a fine for commission of a felony, the court shall consider, among others, the following factors:

(1) The defendant's ability to pay the amount of the fine;

(2) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it;

(3) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution to the victim; and

(4) The amount of the defendant's gain, if any, derived from the commission of the offense.

(C) When a defendant is convicted of two or more felonies committed through a single act and is sentenced to fines pursuant to division (A) above, the aggregate amount of the fines shall not exceed \$10,000 or double the amount of the defendant's gain from commission of the offenses, whichever is the greater.

(D) This section does not apply to a corporation.

(KRS 534.030) (Prior Code, § 139.03)

§ 139.04 SENTENCE OF IMPRISONMENT FOR FELONY.

(A) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by division (B) below, and subject to modification by the trial judge pursuant to KRS 532.070.

(B) The authorized maximum terms of imprisonment for felonies are:

- (1) For a Class A felony, not less than 20 years nor more than life imprisonment;
- (2) For a Class B felony, not less than ten years nor more than 20 years;
- (3) For a Class C felony, not less than five years nor more than ten years; and
- (4) For a Class D felony, not less than one year nor more than five years.

(C) The actual time of release within the maximum established by division (A) above, or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law.

(KRS 532.060) (Prior Code, § 139.04)

