

**533.200 Form of sentencing for convicted persons who have not received a graduation certificate or GED -- Exceptions for an individual with a severe intellectual disability.**

- (1) A person convicted of a misdemeanor or violation who has not received a graduation certificate from high school or has not passed the general educational development test (GED) or has not obtained a high school diploma through participation in the external diploma program may, in addition to or in lieu of any other penalty provided by law, be sentenced to attend and successfully complete a program designed to improve his reading, living, and employment skills. Attendance at such program shall be deemed a form of probation and all provisions of the law with respect to probation, including restitution to victims, shall apply.
- (2) A person convicted of a felony who has not received a graduation certificate from high school or has not passed the general educational development test (GED) or has not obtained a high school diploma through participation in the external diploma program may, in addition to any other penalty provided by law, be sentenced to attend and successfully complete a program designed to improve his reading, living, and employment skills. Attendance at such program shall be deemed a form of probation and all provisions of the law with respect to probation, including restitution to victims, shall apply.
- (3) The provisions of this section shall not apply to an individual with an intellectual or other disability that is so severe that he would not reasonably be expected to benefit from or complete the program.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 146, sec. 136, effective July 12, 2012. -- Amended 1996 Ky. Acts ch. 145, sec. 7, effective July 15, 1996. -- Created 1988 Ky. Acts ch. 279, sec. 1, effective July 15, 1988.