

**218A.135 Pretrial release of defendant charged with offense for which conviction may result in presumptive probation.**

- (1) Any statute to the contrary notwithstanding, a defendant charged with an offense under this chapter for which a conviction may result in presumptive probation shall be placed on pretrial release on his or her own recognizance or on unsecured bond by the court subject to any conditions, other than bail, specified in KRS 431.515 to 431.550.
- (2) The provisions of this section shall not apply to a defendant who is found by the court to present a flight risk or to be a danger to others.
- (3) If a court determines that a defendant shall not be released pursuant to subsection (2) of this section, the court shall document the reasons for denying the release in a written order.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 156, sec. 6, effective July 12, 2012. -- Created 2011 Ky. Acts ch. 2, sec. 19, effective June 8, 2011.