

**439.563 Restitution as condition of parole -- Board order -- Effect on length of parole.**

- (1) When there is an identified victim of a defendant's crime to whom restitution has been ordered but not yet paid in full, or restitution has been ordered paid to a government agency and has not yet been paid in full, the Parole Board shall order the defendant to pay restitution as a condition of parole.
- (2) When the Parole Board orders restitution, the board shall:
  - (a) Order the restitution to be paid to a specific person or organization through the Division of Probation and Parole, which shall disburse the moneys as ordered by the board;
  - (b) Set the amount of restitution to be paid, if not already set;
  - (c) Set the amount and frequency of each restitution payment or require the payment to be made in a lump sum.
- (3) When the Parole Board orders restitution, the Department of Probation and Parole shall:
  - (a) Monitor and oversee the collection of the restitution;
  - (b) Institute parole violation proceedings if the restitution is not being paid;
  - (c) Institute sanctions against the defendant if restitution is not being paid and good cause is not shown for the nonpayment; and
  - (d) Maintain parole supervision over the defendant until restitution has been paid in full.
- (4) The board, in addition to any other sanctions which may be imposed on the defendant, ask a court to hold a defendant who is not paying restitution in the manner or amount prescribed in contempt of court.
- (5) Any statute relating to the length of parole supervision notwithstanding, the parole for a person owing restitution shall be until the restitution is paid in full, even if this would lengthen the period of supervision beyond the statutory limit of parole supervision or the statutory limit for serving out the sentence imposed.
- (6) Payment of restitution in full prior to the end of the period of parole supervision shall not shorten the period of parole supervision.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 345, sec. 5, effective July 14, 2000. --  
Created 1998 Ky. Acts ch. 606, sec. 47, effective July 15, 1998.