

#### **534.040 Fines for misdemeanors and violations.**

- (1) 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 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, the jury shall have the discretion. This rule shall apply in all cases where a fine is not the exclusive penalty authorized by law.
- (2) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any offense other than a felony shall be sentenced, in addition to any other punishment imposed upon him, to pay a fine in an amount not to exceed:
  - (a) For a Class A misdemeanor, five hundred dollars (\$500); or
  - (b) For a Class B misdemeanor, two hundred fifty dollars (\$250); or
  - (c) For a violation, two hundred fifty dollars (\$250).
- (3) This section shall not apply to a corporation.
- (4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 463, sec. 62, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 497, sec. 7, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 101, sec. 8, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 406, sec. 293, effective January 1, 1975.

**Legislative Research Commission Note.** Although this section was included in Acts 1978, ch. 101, § 8, as having been amended, there appears to be no change in this section.