

35.220 Former jeopardy.

- (1) No person shall be tried a second time by a court of the state for the same offense.
- (2) No proceeding in which an accused has been found guilty by a court-martial upon any charge or specification shall be held to be a trial in the sense of this section until the finding of guilty has become final after review of the case has been fully completed.
- (3) A proceeding which, subsequent to the introduction of evidence but prior to a finding, is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses without any fault of the accused shall be a trial in the sense of this section.

History: Amended 1970 Ky. Acts ch. 56, sec. 30. -- Created 1954 Ky. Acts ch. 99, sec. 43, effective July 1, 1954.