

532.140 Defendant with a serious intellectual disability or serious mental illness not subject to execution -- Authorized sentences.

- (1) KRS 532.010, 532.025, and 532.030 to the contrary notwithstanding, a defendant who has been determined to be a defendant with a serious intellectual disability or a defendant with serious mental illness under KRS 532.135 shall not be subject to execution. The same procedure as required in KRS 532.025 and 532.030 shall be utilized in determining the sentence of the defendant with a serious intellectual disability or serious mental illness under this section and KRS 532.135.
- (2) This section and KRS 532.135 do not preclude the sentencing of a defendant with a serious intellectual disability or serious mental illness to any other sentence authorized by KRS 532.010, 532.025, or 532.030 for a crime which is a capital offense.
- (3)
 - (a) For a defendant with a serious intellectual disability, this section and KRS 532.135 shall apply only to trials commenced after July 13, 1990.
 - (b) For a defendant with serious mental illness, this section and KRS 532.135 shall apply only to trials commenced after July 14, 2022.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 109, sec. 3, effective July 14, 2022. -- Amended 2012 Ky. Acts ch. 146, sec. 135, effective July 12, 2012. -- Created 1990 Ky. Acts ch. 488, sec. 3, effective July 13, 1990.