

504.070 Evidence by defendant of mental illness or insanity -- Examination by psychologist or psychiatrist by court appointment -- Rebuttal by prosecution.

- (1) A defendant who intends to introduce evidence of his or her:
 - (a) Mental illness or intellectual disability bearing on the issue of guilt, punishment, or both; or
 - (b) Insanity at the time of the offense;shall file written notice of his or her intention at least ninety (90) days before trial.
- (2) The prosecution shall be granted reasonable time to move for examination of the defendant, or the court may order an examination on its own motion.
- (3) If the court orders an examination, the defendant shall be examined and his or her mental condition reported, as provided in KRS 504.080. If it appears the examination will not be completed before the trial date, the court may, on its own motion or on motion of either party, postpone the trial date until after the examination.
- (4) No less than ten (10) days before trial, the prosecution shall file the names and addresses of witnesses it proposes to offer in rebuttal along with reports prepared by its witnesses.

Effective: July 15, 2024

History: Amended 2024 Ky. Acts ch. 138, sec. 3, effective July 15, 2024. -- Created 1982 Ky. Acts ch. 113, sec. 2, effective July 15, 1982.

Legislative Research Commission Note (7/15/2024). 2024 Ky. Acts ch. 138, sec. 7, provides that the Act, which amended this section and KRS 311.631, 504.060, 504.080, 504.100, and 504.110, may be cited as Seth's Law.