



COMMONWEALTH OF KENTUCKY
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VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING SENATE BILL 91 OF THE
2017 REGULAR SESSION

I, Matthew G. Bevin, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky State Constitution, do hereby veto the following:

Senate Bill 91 of the 2017 Regular Session of the General Assembly in its entirety.

Senate Bill 91 is well intentioned, but would set a dangerous precedent that would threaten the liberty of Kentucky's citizens. Our society has long accepted the right of the government to hold an individual against his or her will when the individual has been charged with or convicted of a crime, or when the individual has been shown to constitute a danger to himself, herself, or others. But Senate Bill 91 goes far beyond this. It would allow the Commonwealth to restrict the liberty of individuals based on nothing more than a finding that they are "unlikely to adequately adhere to outpatient treatment on a voluntary basis." Not only would this permit the restriction of liberty for individuals who have not committed crimes and do not pose a threat to anyone, but it would do so based on speculation about what might or might not happen in the future. There already exist statutory mechanisms for involuntarily committing mentally ill individuals when they pose a threat to themselves or others. When there is no threat to anyone, the Commonwealth has no constitutional right to restrict an individual's liberty simply based on a belief that the individual might not otherwise comply with his or her mental health treatment. Restricting liberty based on future events, without evidence of any threat, is a dangerous precedent to set, and should not be done.

This the 27th day of March, 2017


Matthew G. Bevin
Governor