



COMMONWEALTH OF KENTUCKY
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VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 690 OF THE
2022 REGULAR SESSION

I, Andy Beshear, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky Constitution, do hereby veto the following:

House Bill 690 of the 2022 Regular Session of the General Assembly in its entirety.

I am vetoing House Bill 690 at the request of the Judicial Branch and the Chief Justice of the Supreme Court of Kentucky, the Kentucky State Fraternal Order of Police, the Kentucky District Judges Association, the Kentucky Commonwealth's Attorneys' Association, the Executive Board of the Kentucky County Attorneys' Association, and numerous individual sheriffs and judges. Like me, each of these organizations and individuals believe in and are sworn to uphold Second Amendment rights. But House Bill 690 places a concealed firearm just inches away from individuals on trial or in custody for violent crimes, with no protection for law enforcement attempting to protect judges, juries, and spectators in a court room.

House Bill 690 is dangerous. In the waning days of the Regular Session, the General Assembly amended the bill to allow all lawyers licensed in Kentucky to carry a concealed deadly weapon at all times and at all locations in the Commonwealth, including in courthouses, without any limitation. This allowance applies to practicing lawyers, as well as lawyers who themselves are parties to a domestic dispute, divorce, or potentially are even accused of violent crimes themselves.

Courtrooms are venues of often volatile disputes that can be filled with emotion and tension. A criminal defendant accused of murder, who cannot be placed in restraints in the presence of a jury because it carries a presumption of guilt, will be able stand in a courtroom within inches of an armed attorney, with courtroom security not knowing the location of the firearm. Attorneys – including attorneys who are sometimes parties – in the middle of such cases as domestic disputes, business disputes, and criminal cases will place themselves, court personnel, and the public at risk of a deadly encounter.

Unfortunately, our courtrooms already face the risk of deadly violence. As Kenton Circuit Court Judge Christopher Mehling notes in his letter asking me to veto House Bill 690, in a case over which he presided last year, the father of a party who was an attorney posted on social media

that he was going to “blow up” Judge Mehling’s staff attorney and the opposing attorney. House Bill 690 would allow that attorney to bring a deadly weapon into Judge Mehling’s courtroom. In a recent media report, retired Fayette Circuit Court Judge Thomas Clark recalled a 1991 incident when he was a District Court Judge where a Lexington lawyer shot another attorney and both stumbled into his courtroom packed with 150 people. House Bill 690 would deprive our judges of a critical security tool to reduce the chances of violent encounters in their courtrooms.

The American Bar Association urges state courts and legislatures to allow only those individuals necessary to ensure security to have weapons in courthouses or courtrooms. Every other state recognizes this. According to Chief Justice Minton, House Bill 690 would make Kentucky the only state in America that allows every lawyer to carry firearms into a courtroom.

House Bill 690 also infringes on the Judicial Branch in violation of the separation of powers in Sections 27 and 28 of the Kentucky Constitution and invades the power of the Supreme Court and the Chief Justice. The bill upends the Judicial Council – an advisory body that functions, in part, to give “continuing consideration to the administration of justice in the courts of the Commonwealth” and submit to the Supreme Court of Kentucky recommendations for changes in rules, practice, procedure, or other matters pertaining to the judicial system – by stripping the Chief Justice of his appointments to the council and vaulting the chairs of legislative committees to positions of leadership in the council.

House Bill 690 makes the chair of the House Judiciary Committee the chair of the council beginning in 2023 and the Chief Justice the vice chair, and then makes the chair of the Senate Judiciary Committee the chair of the council in 2024 with the chair of the House Judiciary Committee serving as the vice chair.


Under Section 109 of the Kentucky Constitution, the judicial power of the Commonwealth is vested exclusively in one Court of Justice, of which the Chief Justice is the executive head with the duty to perform all necessary administrative functions relating to the court under Section 110. Section 116 of the Kentucky Constitution mandates that the Supreme Court of Kentucky have the power to prescribe rules governing its appellate jurisdiction, rules for appointment of court personnel, and rules of practice and procedure for the Court of Justice.

The plain language of the Kentucky Constitution makes clear that the power of the judiciary resides in the Judicial Branch, which the Supreme Court and the Chief Justice lead and administer. House Bill 690 subverts the Kentucky Constitution by inserting members of the Legislative Branch into leadership of the Judicial Council. The fact that the bill makes the legislative members non-voting, ex officio members makes no difference; they become the presiding officers of the council. As Chief Justice John Minton points out in his letter urging me to veto House Bill 690, the bill is akin to the Supreme Court creating a legislative council, chaired by the Chief Justice, to review and make recommendations about the administration of the Legislative Branch. The separation of powers in our constitution requires that the Judicial Branch rightfully has the power to run the Judicial Branch.

House Bill 690 unconstitutionally invades the province of the Judicial Branch and creates a public safety issue that endangers everyone inside our courthouses and courtrooms that seek and carry out the service of justice.

For these reasons, I am vetoing House Bill 690.

This, the 11th day of April, 2022.



Andy Beshear
Governor