

532.140 Mentally retarded offender not subject to execution -- Authorized sentences.

- (1) KRS 532.010, 532.025, and 532.030 to the contrary notwithstanding, no offender who has been determined to be a seriously mentally retarded offender under the provisions of KRS 532.135, shall 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 seriously mentally retarded offender under the provisions of KRS 532.135 and 532.140.
- (2) The provisions of KRS 532.135 and 532.140 do not preclude the sentencing of a seriously mentally retarded offender to any other sentence authorized by KRS 532.010, 532.025, or 532.030 for a crime which is a capital offense.
- (3) The provisions of KRS 532.135 and 532.140 shall apply only to trials commenced after July 13, 1990.

Effective: July 13, 1990

History: Created 1990 Ky. Acts ch. 488, sec. 3, effective July 13, 1990.