

504.130 Grounds for finding defendant guilty but mentally ill.

- (1) The defendant may be found guilty but mentally ill if:
 - (a) The prosecution proves beyond a reasonable doubt that the defendant is guilty of an offense; and
 - (b) The defendant proves by a preponderance of the evidence that he was mentally ill at the time of the offense.
- (2) If the defendant waives his right to trial, the court may accept a plea of guilty but mentally ill if it finds that the defendant was mentally ill at the time of the offense.

Effective: July 15, 1982

History: Created 1982 Ky. Acts ch. 113, sec. 8, effective July 15, 1982.