

7.117 Legislative drafting communications not subject to disclosure -- Application.

- (1) A member of the General Assembly is immune from disclosing in a civil or criminal court proceeding, or in an administrative or legislative proceeding, any communication:
 - (a) Made by the member of the General Assembly to a member of the staff of the Legislative Research Commission, or to a member of the staff of the General Assembly, with regard to a request for legislative drafting of bills or resolutions or amendments thereto or to any information surrounding such a request; or
 - (b) Received from a member of the staff of the Legislative Research Commission, or from a member of the staff of the General Assembly, with regard to a request for legislative drafting of bills or resolutions or amendments thereto or to any information surrounding such a request.
- (2) A member of the staff of the Legislative Research Commission or a member of the staff of the General Assembly is immune from disclosing in a civil or criminal court proceeding, or in an administrative or legislative proceeding, any communications:
 - (a) Made to him or her by a member of the General Assembly with regard to a request for legislative drafting of bills or resolutions or amendments thereto or to any information surrounding such a request; or
 - (b) Made to a member of the General Assembly with regard to a request for legislative drafting of bills or resolutions or amendments thereto or to any information surrounding such a request.
- (3) This section shall not apply to a criminal court proceeding in which a member of the General Assembly, a member of the staff of the Legislative Research Commission, or a member of the staff of the General Assembly is the subject of the proceeding, and a subpoena has been issued for the communication or related information.
- (4) The communications referenced in this section or documents related thereto are not subject to subpoena, deposition, writ of mandamus, interrogatory, or other disclosure.
- (5) Any order or subpoena purporting to compel testimony or the production of evidence which is prohibited under this section shall be unenforceable.
- (6) This section applies to a former legislator or former member of the staff of the Legislative Research Commission or General Assembly only with regard to communications made or received while a member of the General Assembly or member of the staff of the Legislative Research Commission or General Assembly. For purposes of this section, legislative interns, paid or unpaid, are considered to be members of the staff of the Legislative Research Commission or General Assembly, as applicable.

Effective: June 24, 2003

History: Created 2003 Ky. Acts ch. 90, sec. 1, effective June 24, 2003.

Legislative Research Commission Note (6/24/03). This section contains the first six subsections of 2003 Ky. Acts ch. 90, sec. 1. Under the authority of KRS 7.136, the Reviser of Statutes has codified subsections (7) to (9) of 2003 Ky.

Acts ch. 90, sec. 1, as a separate KRS section, KRS 7.119.