

15.255 Powers, duties, and functions of the Department of Law.

- (1) The Department of Law shall have the following powers, duties and functions:
 - (a) To prevent or remedy damage to the environment caused by any person, group, partnership, association, body corporate or politic, or any agency, department, board, commission, division, or authority, whether state or federal, or by commencing or intervening in any suit or action in state or federal courts, whether civil or criminal, to enforce any statute, ordinance, bylaw, or regulation, or to secure any common-law right or remedy;
 - (b) To counsel state agencies and commissions given the responsibility over environmental concerns including but not limited to the Energy and Environment Cabinet and the Public Service Commission;
 - (c) To exercise the common-law powers of the Attorney General in protecting the environment;
 - (d) To bring public nuisance and other actions in Circuit Courts in the name of the Commonwealth upon complaint by private citizens, when in the opinion of the Attorney General the activity or activities complained of may have a substantial impact upon the environment of the Commonwealth; and
 - (e) To develop guidelines related to the proper investigation of sexual misconduct by professionals which may be adopted by professional licensure boards.
- (2) Nothing in this section shall be interpreted to derogate from any existing common-law or statutory right or remedy against damage to the environment.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 14, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 123, sec. 9, effective June 20, 2005. -- Amended 1994 Ky. Acts ch. 265, sec. 19, effective July 15, 1994; and ch. 470, sec. 17, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 331, sec. 9, effective July 15, 1986; and ch. 406, sec. 2, effective July 15, 1986. -- Created 1978 Ky. Acts ch. 155, sec. 11, effective June 17, 1978.

Legislative Research Commission Note (7/15/94). This statute was amended by 1994 Ky. Acts chs. 265 and 470, which were companion bills and are substantively identical. These Acts have been codified together. For the few minor variations between the Acts, Acts ch. 470 prevails under KRS 446.250, as the Act which passed the General Assembly last.