

39A.180 Orders and administrative regulations of Governor, agencies, and political subdivisions -- Suspension of statutes -- Conformity of administrative regulations -- Enforcement.

- (1) The political subdivisions of the state and other agencies designated or appointed by the Governor may make, amend, and rescind orders and promulgate administrative regulations necessary for disaster and emergency response purposes, and to supplement the carrying out of the provisions of this chapter, if not inconsistent with any orders or administrative regulations promulgated by the Governor or by any state agency exercising a power delegated to it by the Governor.
- (2)
 - (a) All written orders and administrative regulations promulgated by the Governor, the director, or by any political subdivision or other agency authorized by KRS Chapters 39A to 39F to make orders and promulgate administrative regulations, shall have the full force of law and, if promulgated as administrative regulations, shall follow the requirements for promulgating administrative regulations under KRS Chapter 13A. All written orders authorized by KRS Chapters 39A to 39F shall be filed with the Legislative Research Commission.
 - (b) The Governor may suspend a statute by executive order when an emergency is declared under this chapter if:
 1. The statute is specifically enumerated by the Governor in the executive order; and
 2. The executive order specifying the suspension is approved by the Attorney General in writing.
 - (c) A statute suspension authorized in paragraph (b) of this subsection shall only be in effect while the emergency executive order is in effect.
 - (d) Any existing administrative regulation that conflicts with a written order issued under this chapter shall be amended, withdrawn, or repealed in accordance with KRS Chapter 13A to conform with the written order.
 - (e) When a written order ends, any administrative regulation promulgated under the authority of this section shall:
 1. Become void; and
 2. Be withdrawn, amended, or repealed in accordance with KRS Chapter 13A.
- (3) Notwithstanding subsection (2) of this section, the Governor shall not suspend any laws in KRS Chapters 39A to 39F, Chapter 13A, 446.350, 527.020, 311.710 to 311.820, or any other statutes related to abortion.
- (4) The law enforcement authorities of the state and of its counties, urban-counties, charter counties, and cities shall enforce the written orders and administrative regulations issued pursuant to KRS Chapters 39A to 39F.

Effective: February 2, 2021

History: Amended 2021 Ky. Acts ch. 6, sec. 4, effective February 2, 2021. -- Created 1998 Ky. Acts ch. 226, sec. 17, effective July 15, 1998.