

COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

Andy Beshear
GOVERNOR

Kentucky State Office Building
501 High Street
Frankfort, Kentucky 40601
Phone: (502) 564-2611
Fax: (502) 564-2517

VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 10 OF THE 2026 REGULAR SESSION

I, Andy Beshear, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky Constitution, do hereby veto the following:

House Bill 10 of the 2026 Regular Session of the General Assembly in its entirety.

Although House Bill 10 is intended to curb abuses of offices like those committed by my predecessor, it is unconstitutional. Our Supreme Court has held that the Governor's actions cannot be placed under the supervision of another constitutional officer and that constitutional officers cannot supervise the actions of one another. Brown v. Barkley, 628 S.W.2d 616 (Ky. 1982). House Bill 10 violates these constitutional mandates by requiring that during the six months before a governor's inauguration the Attorney General must approve all Executive Branch lawsuit settlements over \$1,000,000 and the Treasurer must approve all travel expense requests of all state constitutional officers. The bill would add these unconstitutional approvals without establishing any guiding or limiting principles. House Bill 10 would thus permit a scenario where the Attorney General or the Treasurer could also be a candidate for governor and prevent their opponent from carrying out necessary functions of their office.

House Bill 10 also unconstitutionally and unfairly targets unclassified employees seeking to return to classified service by subjecting them to a 24-month probationary period, although other employees only serve six-month probationary periods.

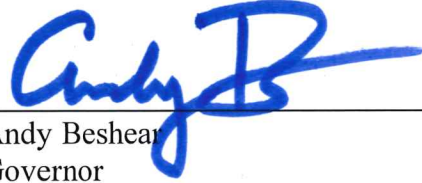
Further, House Bill 10 subjects numerous Executive Branch officials to Senate confirmation, including all Cabinet Secretaries appointed by the Governor. The elected or appointed heads of various educational boards would also have to receive Senate confirmation, as well as various other department commissioners. This is another attempt by the General Assembly to assert political control over the Governor's appointments and limit the ability to assemble and maintain executive leadership that is not beholden to the legislative branch. To be sure, House Bill 10 does not subject any of the appointments made by the other constitutional officers to the same confirmation – officers who are not the Chief Magistrate and who do not have the duty to ensure the laws are faithfully executed.

House Bill 10 also adds confusion and ambiguity to the process of retaining records that is already established by the State Archive and Records Act, KRS 171.410-171.740. The existing retention schedules established under the State Archive and Records Act require the retention of precisely described records created and maintained by public agencies, but House Bill 10 would

require only the Governor's office to preserve any documents that pertain to contracts, board appointments, pardons, employment changes and litigation for the 12 months preceding the next governor's inauguration.

For these reasons, I am vetoing House Bill 10.

This, the 13th day of April, 2026.



Andy Beshear
Governor