

**CHAPTER 168****( HJR 77 )**

A JOINT RESOLUTION ratifying emergency executive orders and declaring an emergency.

WHEREAS, emergency executive actions, administrative regulations, and other directives have been issued by the Governor and executive branch agencies in response to the COVID-19 virus; and

WHEREAS, 2021 Senate Bill 1 limited certain emergency executive actions and administrative regulations issued by the Governor to 30 days unless an extension is approved by the General Assembly, and the COVID-19 emergency executive actions, administrative regulations, and other directives therefore expired on March 4, 2021; and

WHEREAS, a number of COVID-19 emergency executive actions, administrative regulations, or directives need to be extended past March 4, 2021, in order to protect the citizens of Kentucky;

NOW, THEREFORE,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. All COVID-19 related executive orders, administrative regulations, other directives issued by the Governor or pursuant to his authority, or agencies or boards under the Governor's authority, not specifically extended by this Act are of no further force or effect as of the effective date of this Act.

➔Section 2. The General Assembly hereby approves and ratifies the following executive actions and administrative regulations issued in response to the COVID-19 virus, and declare that the same shall expire 90 days from the effective date of this Act:

2020 Executive Order 2020-215;

2021 Executive Order 2021-072;

2021 Executive Order 2021-078;

2020 Executive Order 2020-220;

2020 Executive Order 2020-265;

2020 Executive Order 2020-266;

2020 Executive Order 2020-881;

2020 Executive Order 2020-235;

201 KAR 8:505E;

201 KAR 2:410E;

702 KAR 7:140E;

902 KAR 20:160E;

902 KAR 20:440E;

902 KAR 30:210E;

907 KAR 15:070E;

907 KAR 15:080E;

921 KAR 3:025E;

922 KAR 1:490E;

922 KAR 2:415E;

Board of Veterinary Examiners Order of April 16, 2020;

Cabinet for Health and Family Services Order of July 9, 2020;

Education and Workforce Development Administrative Order 2020-02;  
 Education and Workforce Development Administrative Order 2020-03; and  
 Education and Workforce Development Administrative Order 2020-07.

➔Section 3. The General Assembly hereby approves and ratifies the following executive actions and administrative regulations issued in response to the COVID-19 virus for a period not to exceed 30 days to allow the opportunity to promulgate replacement administrative regulations pursuant to KRS Chapter 13A, and declare that the executive actions and administrative regulations shall expire 30 days from the effective date of this Act:

Labor Cabinet Administrative Order 2020-004;  
 Labor Cabinet Administrative Order 2020-001;  
 Kentucky Applied Behavior Analyst Licensing Board Order;  
 Kentucky Board of Alcohol and Drug Counselors Order;  
 Kentucky Board of Licensed Diabetes Educators Order;  
 Kentucky Board of Licensure for Long-term Care Administrators Order;  
 Kentucky Board of Licensed Professional Counselors Order;  
 Kentucky Board of Licensure for Marriage and Family Therapists Order;  
 Kentucky Board of Licensure for Occupational Therapy Order;  
 Kentucky Board of Licensure for Private Investigators Order;  
 Kentucky Board of Examiners of Psychology Order;  
 Kentucky Board of Speech-Language Pathology and Audiology Order;  
 Kentucky Board of Interpreters for Deaf and Hard of Hearing Order;  
 Kentucky Licensing Board for Specialists in Hearing Instruments Order;  
 Kentucky Board of Barbering Order;  
 Kentucky Board of Licensure for Massage Therapy Order;  
 Board of Pharmacy Order April 24, 2020;  
 Energy and Environment Cabinet Emergency Bulletin of March 26, 2020;  
 Energy and Environment Cabinet Emergency Memorandum of March 26, 2020;  
 Energy and Environment Cabinet Emergency and Public Service Commission Emergency Memorandum of July 31, 2020;  
 Energy and Environment Cabinet Emergency Memorandum of January 25, 2021;  
 Transportation Cabinet Official Order 112400;  
 Kentucky Economic Development Finance Authority Resolution No. 2020-0730;  
 Bluegrass State Skills Corporation May 21, 2020 exemption to Guidelines 2020-2021;  
 Board of Dentistry Order of April 17, 2020;  
 Board of Nursing Emergency Memoranda;  
 Department of Alcoholic Beverage Control Orders;  
 Department of Financial Institutions Order;  
 Housing, Buildings and Construction Orders;  
 Real Estate Authority Orders;  
 Department of Insurance Orders; and  
 Board of Social Work Memorandum of March 30, 2020.

➔Section 4. (1) The General Assembly hereby approves and ratifies Executive Order 2020-243 to the extent that the order:

- (a) Encourages social distancing among citizens; and
- (b) Requires state agencies to:
  - 1. Encourage social distancing;
  - 2. Provide and conduct services by mail, Internet, phone, and/or video conferencing;
  - 3. Extend licenses, credentials, or certificates that require in-person appearances or education for renewal;
  - 4. Permit education and continuing education to be satisfied online;
  - 5. Extend deadlines for statutory or regulatory reporting; and
  - 6. Extend deadlines for payments of fees, taxes, and assessments, and waive late payment penalties incurred.

(2) As of the effective date of this Act, Executive Order 2020-243 is otherwise of no further force or effect, and any statutes or regulations therein suspended are no longer suspended. Executive Order 2020-243 as ratified and extended in part shall expire 60 days from the effective date of this Act.

➔Section 5. Upon the expiration of an executive action, other directive, or administrative regulation declaring an emergency or other implementation of powers under KRS Chapter 39A, the Governor shall not declare a new emergency or continue to implement any of the powers under KRS Chapter 39A based upon the same or substantially similar facts and circumstances as the original declaration or implementation without the prior approval of the General Assembly.

➔Section 6. Nothing in this Act shall be interpreted to allow state agencies to remain closed for regular in-person business.

➔Section 7. It is not the intention of the General Assembly that this Joint Resolution should impair or delay the ability of the Commonwealth to receive any federal stimulus or pandemic related funds.

➔Section 8. Whereas, the General Assembly desires to ensure that the citizens of the Commonwealth are protected for a specific period of time, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming law.

**Veto overridden March 30, 2021.**