

**CHAPTER 181****( SB 251 )**

AN ACT relating to the Department of Corrections.

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

➔Section 1. KRS 13A.100 is amended to read as follows:

Subject to limitations in applicable statutes, including KRS 13A.105 *and subsection (5) of Section 2 of this Act*, any administrative body that is empowered to promulgate administrative regulations shall, by administrative regulation, prescribe, consistent with applicable statutes:

- (1) Each statement of general applicability, policy, procedure, memorandum, or other form of action that implements; interprets; prescribes law or policy; describes the organization, procedure, or practice requirements of any administrative body; or affects private rights or procedures available to the public;
- (2) The process for application for license, benefits available or other matters for which an application would be appropriate unless ~~the~~<sub>[such]</sub> process is prescribed by a statute;
- (3) Fees, except for those exempted in paragraphs (a) to (j) of this subsection, to be charged by the administrative body if ~~the~~<sub>[such]</sub> fees are authorized by law and are not set by statute:
  - (a) State park room rates;
  - (b) Prices for food in restaurants at state facilities;
  - (c) Prices for goods at gift shops at state facilities;
  - (d) Prices for groceries and other items sold at state facilities;
  - (e) Prices charged for state publications;
  - (f) Prices charged for rides and amusement activities at state facilities;
  - (g) Admission fees to athletic and entertainment events at state facilities;
  - (h) Charges for swimming, skiing, horseback riding, and similar recreational activities at state facilities;
  - (i) Charges for boat and equipment rentals for recreational purposes at state facilities; and
  - (j) Admission fees charged for seminars and educational courses by state administrative bodies;
- (4) The procedures to be utilized by the administrative body in the conduct of hearings by or for the administrative body unless ~~the~~<sub>[such]</sub> procedures are prescribed by a statute; and
- (5) The disciplinary procedures within the jurisdiction of the administrative body unless ~~the~~<sub>[such]</sub> procedures are prescribed by statute.

➔Section 2. KRS 197.020 is amended to read as follows:

- (1) The Department of Corrections shall:
  - (a) Promulgate administrative regulations for the:
    1. Government and discipline of the penitentiary;~~[- for the -]~~
    2. Government and official conduct of all officials connected with the penitentiary;~~[-]~~ and~~[- for the -]~~
    3. Government of the prisoners in their department and conduct;
  - (b) Promulgate administrative regulations for the:
    1. Character of food and diet of the prisoners;~~[- the -]~~
    2. Preservation of the health of the prisoners;~~[- the -]~~
    3. Daily cleansing of the penitentiary;~~[- the -]~~
    4. Cleanliness of the persons of the prisoners;~~[- the -]~~

5. General sanitary government of the penitentiary and prisoners;~~{the}~~
  6. Character of the labor;~~{the}~~
  7. Quantity of food and clothing; and~~{the}~~
  8. Length of time during which the prisoners shall be employed daily;
- (c) Promulgate administrative regulations, as the department deems necessary, for the disposition of abandoned, lost, or confiscated property of prisoners;
  - (d) Promulgate administrative regulations for the administration of a validated risk and needs assessment to assess the criminal risk factors and correctional needs of all inmates upon commitment to the department;
  - (e) Promulgate administrative regulations to:
    1. Create a certification process for county jails that may house female state inmates. The administrative regulations shall include a requirement of a physical barrier between male and female inmates; and
    2. Require telehealth services in county jails; and
  - (f) Cause the administrative regulations promulgated by the department, together with the law allowing commutation of time to prisoners for good conduct, to be printed and posted in conspicuous places in the cell houses and workshops.
- (2) The department may impose a reasonable fee for the use of medical facilities by a prisoner who has the ability to pay for the medical and dental care. These funds may be deducted from the prisoner's inmate account. A prisoner shall not be denied medical or dental treatment because he or she has insufficient funds in his or her inmate account.
  - (3) The department may promulgate administrative regulations in accordance with KRS Chapter 13A to implement a program that provides for reimbursement of telehealth consultations.
  - (4) Fees for the use of medical facilities by a state prisoner who is confined in a jail pursuant to KRS 532.100 or other statute shall be governed by KRS 441.045.
  - (5) *Notwithstanding any other provision of law, the Department of Corrections shall not be required to promulgate administrative regulations regarding the death penalty and may prescribe and implement execution protocols and procedures by internal policy, memorandum, or other form of action without proceeding through the administrative regulations process established in KRS Chapter 13A.*
  - (6) *Any internal policy, memorandum, or other action adopted by the department under subsection (5) of this section shall be publicly available on the department's website.*

**Veto Overridden April 14, 2026.**