

STATEMENT OF EMERGENCY

501 KAR 6:460E.

(1) This emergency administrative regulation amendment is being promulgated pursuant to KRS 13A.190(1)(a)1 to meet an imminent threat to public health, safety, or welfare. It is being promulgated as part of a set of five (5) emergency administrative regulations designed to limit the amount of sentencing credit inmates can accrue after returning to custody because their Mandatory Reentry Supervision ("MRS") has been revoked by the Parole Board. A separate emergency administrative regulation in this set also limits the use of administrative release for revoked MRS inmates. These changes are needed to ensure revoked MRS inmates who violate the terms of their release are not eligible for a reduction of the time remaining on the minimum expiration date of their sentences. These changes will address the imminent threat to public health, safety, and welfare posed by inmates who are revoked from MRS for failure to comply with the terms of their release being immediately allowed to earn credits again.

(2) This emergency administrative regulation is necessary to prevent MRS inmates returned to custody after having MRS revoked by the Parole Board from immediately accruing sentencing credits, lessening the minimum expiration date of their sentence after having just violated the terms of their release. Therefore, an ordinary regulation does not sufficiently address the potential harm.

(3) This emergency administrative regulation will be replaced by an ordinary administrative regulation because this change is necessary to properly ensure inmates exhibiting failure to comply are not immediately allowed to earn credits and ensure if they violate the terms of their MRS that there are appropriate consequences.

(4) The companion ordinary administrative regulation is identical to this emergency regulation.

(5) An emergency administrative regulation governing a portion of the same subject matter has not been filed within the previous nine months.

ANDY BESHEAR, Governor

KEITH JACKSON, Secretary

COOKIE CREWS, Commissioner

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(Emergency Amendment)

501 KAR 6:460E. Corrections policies and procedures: inmate work programs.

RELATES TO: KRS Chapters 196, 197, 197.065, 197.070, 197.110, 197.120, 197.150

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.047, 197.110, 439.590, 439.640

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1) (a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, character of the labor, and length of time during which the prisoners shall be employed daily. KRS 197.047(2) requires the department to promulgate an administrative regulation governing prisoners working on governmental services program-related projects. KRS 197.047(5) requires the department to promulgate an administrative regulation setting forth the amount of compensation a prisoner shall earn for any work-related project. KRS 197.110 requires the department to promulgate administrative regulations it deems necessary and proper for classification of prisoners, conditions of inmate work assignments, and inmate pay for work. This administrative regulation establishes policies and procedures concerning inmate work programs for the Department of Corrections.

Section 1. Incorporation by Reference.

(1) "Department of Corrections Policies and Procedures, Chapter 19", November 19, 2025 , are incorporated by reference. Department of Corrections Policies and Procedures Chapter 19 includes:

- 19.1 Governmental Services Program (10/15/24)
- 19.2 Sentence Credit for Work (11/19/25)
- 19.3 Inmate Wage/Time Credit Program (5/15/24)
- 19.4 Work Release for State Inmates in Jails (10/15/24)

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site in the policies and procedures area at <https://corrections.ky.gov/About/cpp/Pages/default.aspx> or the regulation filing area at <https://corrections.ky.gov/about/pages/lrcfilings.aspx>. 501 KAR 6:460E. Corrections policies and procedures: inmate work programs.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: November 19, 2025

FILED WITH LRC: November 19, 2025 at 4:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this emergency administrative regulation shall be held on January 27, 2026, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Nathan Goens, Assistant General Counsel Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Phone: (502) 564-8216, Email: Justice.RegContact@ky.gov