

**39A.290 Declared emergency -- State executive orders, administrative regulations, or guidance in conflict with federal requirements or guidance on classification or treatment of certain utility, wastewater, water, sewer, and sanitation employees prohibited -- Right of utility to terminate service or assess or collect fees and penalties not to be impaired.**

- (1) During a declared emergency, no executive order, administrative regulation, or other guidance from a department or officer of state government shall be issued or promulgated that conflicts with any of the requirements or guidance, including advisory memoranda, that is issued by the United States Department of Homeland Security or its successor agencies regarding the classification or treatment of the employees of utilities subject to or created under KRS Chapter 58, 96, 278, or 279, regional wastewater commissions subject to or created under KRS Chapter 65, regional water commissions subject to or created under KRS Chapter 74, metropolitan sewer districts subject to or created under KRS Chapter 76, and sanitation districts subject to or created under KRS Chapter 220, as essential or critical infrastructure workers that are needed to ensure the continuity of functions critical to public health and safety or economic and national security.
- (2) Beginning on June 29, 2021, during a declared emergency, no current or future executive order, administrative regulation, or other guidance shall remain in effect or be issued or promulgated by a department or officer of state government that prohibits or otherwise impairs the right of a utility subject to or created under KRS Chapter 96 from:
  - (a) Terminating service for a customer's non-payment of a utility bill; or
  - (b) Assessing or collecting its usual and customary fees or penalties for non-payment or delinquent payments of a customer's utility bill.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 158, sec. 2, effective June 29, 2021.