



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

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**VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 6 OF THE 2025 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 6 of the 2025 Regular Session of the General Assembly in its entirety.

House Bill 6 is unconstitutional in both its purpose and action. In the House, the Majority Floor Leader made clear the purpose of the bill was to “remove all doubt that the most powerful branch of government” is the legislature. He further claimed that “this country was founded on” the legislative branch being superior to the other two branches of government. Such a purpose is contrary to the United States and Kentucky Constitutions, which recognize three equal branches of government, each limited by a strong separation of powers. House Bill 6 is a direct and transparent attack on that separation, by attempting to give the General Assembly and LRC’s Regulations Compiler control over implementation of administrative regulations, something “that is executive in nature and is ordinarily within the constitutional purview of the executive branch of government.” LRC v. Brown, 664 S.W.2d 907 (Ky. 1984).

The Kentucky Constitution gives the Governor – and the Governor alone – the duty to faithfully execute the law. KY. CONST. § 81. House Bill 6 interferes with that constitutional duty by first eliminating the executive power to issue administrative regulations. House Bill 6 does allow administrative regulations where the General Assembly includes specific language in a bill, but only if it meets certain criteria and only where the LRC Regulations Compiler rules the conditions are met. More than 40 years ago, Kentucky’s highest court ruled that LRC review of regulations are “legislative encroachment into the power of the executive branch.” LRC v. Brown, 664 S.W.2d 907 (Ky. 1984).

Finally, as a practical matter, House Bill 6 will likely stop and prevent the executive branch from implementing numerous bills passed by the General Assembly. One of the conditions imposed by House Bill 6 is that newly issued regulations cannot cost more than \$500,000 for implementation and compliance over any two-year period. If it had been in effect, House Bill 6 would have prevented executive branch agencies from carrying out laws like those legalizing medical cannabis, sports wagering and historical horse racing.

Indeed, it may prevent the implementation of several bills passed this session. Senate Bill 100 would regulate and license vape products. However, the implementation requires a new office

under the Department of Alcoholic Beverage Control called the Division of Tobacco, Nicotine, and Vapor Product Licensing. It will require hiring new staff for the new division, which would exceed \$500,000. It finally requires licensing by thousands of locations where vapor products are sold. Thus, the executive branch would be prohibited from filing the regulations that Senate Bill 100 requires, preventing the Governor from executing the law. Likewise, the fiscal note for Senate Bill 27 calculated one-time implementation costs of \$635,000 to \$1 million, as well as six-figure annual costs. Finally, Senate Bill 1, which requires numerous regulations on the operation of a Film Commission and awarding incentives, has significant costs in implementation well over the threshold.

Like the legislation in LRC v. Brown, House Bill 6 is unconstitutional.

For these reasons, I am vetoing House Bill 6.

This, the 24th day of March, 2025.



Andy Beshear
Governor