

1 AN ACT relating to occupational safety and health standards and declaring an
2 emergency.

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

4 ➔Section 1. KRS 338.061 is amended to read as follows:

5 (1) Occupational safety and health standards may be adopted, modified, or repealed by
6 the board *through the administrative regulation process of KRS Chapter 13A* as it
7 shall deem necessary, *except the secretary may through an administrative order*
8 *suspend, delay, or alter enforcement of a promulgated occupational safety and*
9 *health administrative regulation if the federal government has suspended,*
10 *delayed, or enjoined the corresponding federal regulation or suspended, delayed,*
11 *enjoined, or altered the enforcement thereof. Any action taken by the secretary to*
12 *suspend, delay, or alter the enforcement of an occupational safety and health*
13 *administrative regulation pursuant to this subsection shall be consistent with*
14 *those taken by the federal government, except that the secretary may enforce an*
15 *administrative regulation or standard which immediately preceded the*
16 *administrative regulation whose enforcement is amended, delayed, or altered.*

17 (2) Established federal standards and national consensus standards may be adopted by
18 reference.

19 ➔Section 2. Whereas without the enactment of this legislation the Labor Cabinet
20 cannot amend or change an administrative regulation in a timely manner to correspond
21 with the immediate actions taken by the U.S. Department of Labor concerning
22 occupational health and safety regulations, an emergency is declared to exist, and this Act
23 shall take effect upon its passage and approval of the Governor or upon its otherwise
24 becoming a law.