

1 AN ACT relating to civil actions.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 26A IS CREATED TO  
4 READ AS FOLLOWS:

5 *If an action includes a claim for declaratory judgment, injunctive relief, or other form*  
6 *of equitable or other relief, or challenges the constitutionality of a Kentucky*  
7 *constitutional provision, statute, or regulation, and is brought jointly or severally*  
8 *against any state official, including but not limited to any executive branch office,*  
9 *agency, officer and public servant as defined in KRS 11A.010, or the General*  
10 *Assembly, or any body, subdivision, caucus, committee or member thereof, or the*  
11 *Legislative Research Commission, a special judge may be requested by one (1) or more*  
12 *of the defendants who are public offices, agencies, officers or employees, subject to the*  
13 *following requirements:*

14 *(1) Within twenty (20) days after service of the complaint, an affidavit shall be filed*  
15 *with the clerk of the Circuit Court in which the action is originally filed, and the*  
16 *circuit clerk shall at once certify the facts to the Chief Justice who shall*  
17 *immediately designate a regular or retired justice or judge of the Court of Justice,*  
18 *selected at random, as special judge. Any special judge so selected shall have all*  
19 *the powers and responsibilities of a regular judge of the court.*

20 *(2) A retired justice or judge serving as a special judge shall be compensated as*  
21 *provided by KRS 21A.110.*