

1 AN ACT relating to the interpretation of laws and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 446 IS CREATED TO
4 READ AS FOLLOWS:

5 ***(1) A statement or restatement of the law in any legal treatise, scholarly publication,***
6 ***textbook, or other explanatory text shall not constitute the law or public policy of***
7 ***the Commonwealth of Kentucky. No Kentucky court shall treat any such***
8 ***publication or text as controlling authority.***

9 ***(2) In the absence of a constitutional section or a statute on a given matter, Kentucky***
10 ***shall be deemed to have adopted the common law.***

11 ➔Section 2. This Act shall be known and may be cited as the Model Act
12 Concerning Interpretation of Kentucky Law.

13 ➔Section 3. Whereas there currently exist legal treatises that are inconsistent with
14 the well-established law of this state that purport to address matters which are properly in
15 the legislative prerogative, an emergency is declared to exist, and this Act shall take effect
16 upon its passage and approval by the Governor or upon its otherwise becoming law.