

1 AN ACT relating to the reviser of statutes and declaring an emergency.

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

3 ➔Section 1. KRS 7.136 is amended to read as follows:

4 (1) The Commission, in maintaining the official version of the Kentucky Revised  
5 Statutes, shall not alter the sense, meaning, or effect of any act of the General  
6 Assembly, but may:

7 (a) Renumber sections and parts of sections of the acts of the General Assembly;

8 (b) Change the wording of headnotes;

9 (c) Divide or rearrange sections and parts of sections;

10 (d) Change words when directed by law;

11 (e) Change reference numbers to agree with renumbered chapters or sections, or  
12 to make corrections in reference numbers when sections referred to are  
13 repealed or amended and the correction can be made without change in the  
14 law;

15 (f) Substitute the proper section or chapter numbers for the terms "this act," "the  
16 preceding section," and the like;

17 (g) Change capitalization, spelling, and punctuation for the purpose of uniformity  
18 and consistency;~~and~~

19 (h) Correct manifest clerical or typographical errors; ***and***

20 ***(i) Edit any section or parts of sections that have been declared***  
21 ***unconstitutional, void, or otherwise unlawful and unenforceable by a state***  
22 ***or federal appellate court of competent jurisdiction.***

23 (2) In maintaining the official version of the Kentucky Revised Statutes, the reviser of  
24 statutes may substitute the name of any agency, officer, or instrumentality of the  
25 Commonwealth or of a political subdivision whose name is changed by law or to  
26 which powers, duties, and responsibilities have been transferred by law, for the  
27 name which the agency, officer, or instrumentality previously used or of the agency

1 which was previously vested with the same powers and charged with the same  
2 duties and responsibilities.

3 (3) If any section or part of a section of a statute or of any act of the General Assembly  
4 is amended by more than one (1) act at the same session of the General Assembly,  
5 the Commission may incorporate in the statute the section as amended or altered by  
6 the several acts, if each of the amendments, changes, or alterations can be given  
7 effect and incorporated in the section in a manner which will make the section  
8 intelligible. If a conflict appears between any section amended in an act to revise  
9 and amend the Kentucky Revised Statutes and the same section in any other act  
10 adopted at the same session of the General Assembly, the change or alteration  
11 effected by the nonrevisory act shall be inserted in the section as incorporated in the  
12 statute publication.

13 (4) (a) The reviser of statutes shall only exercise the authority granted to the  
14 Commission by subsection (1)(i) of this section if the opinion or order  
15 declaring all or a portion of a specific act of the General Assembly or a  
16 specific section or part of a section of the Kentucky Revised Statutes  
17 unconstitutional, void, or otherwise unlawful and unenforceable is final  
18 and not subject to any further appeal, and only if the section or part of a  
19 section can be edited in such a way as to be intelligible and to also give  
20 effect to any subsequent acts of the General Assembly.

21 (b) If the reviser of statutes edits any section or part of a section of the  
22 Kentucky Revised Statutes, he or she shall return the section or part of the  
23 section back to the form in which it existed immediately prior to the act of  
24 the General Assembly that amended the section or part of the section,  
25 including deleting any newly created sections or parts of sections and  
26 restoring the text of any repealed sections, and, if the section or part of the  
27 section has been subsequently amended by the General Assembly in later

1                   acts, he or she shall incorporate those later amendments.  
2                   (c) The reviser of statutes shall report any edit to a section or part of a section,  
3                   or his or her determination to not edit a section or part of a section, as well  
4                   as the basis for the edit or determination, to the co-chairs of the Legislative  
5                   Research Commission within five (5) business days following the edit or  
6                   determination.

7                   ➔Section 2. Whereas actions required to be taken by the reviser of statutes in  
8 Section 1 of this Act would need to first be taken during codification of enactments of the  
9 2020 Regular Session prior to the normal effective date of 2020 legislation, an emergency  
10 is declared to exist, and this Act takes effect upon its passage and approval by the  
11 Governor or upon its otherwise becoming a law.