

1 AN ACT relating to emergency administrative regulations and declaring an
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) Due to the expansive nature of the COVID-19 pandemic, and the interrelated*
7 *effects of public health, public safety, and the broader economy of the*
8 *Commonwealth, an administrative body shall not promulgate administrative*
9 *regulations relating to COVID-19 and the response to the pandemic without first*
10 *consulting the General Assembly and its jurisdictional committees.*

11 *(2) The following administrative regulations deal with COVID-related issues, and*
12 *were filed as emergency administrative regulations without an accompanying*
13 *ordinary administrative regulation, becoming effective upon filing without the*
14 *opportunity for legislative review or input. Therefore, based upon the*
15 *requirements of subsection (1) of this section and KRS 13A.120(2), the following*
16 *administrative regulations are declared to be null, void, and unenforceable:*

17 *(a) 702 KAR 1:190E – District employee emergency leave;*

18 *(b) 702 KAR 3:270E – SEEK funding formula;*

19 *(c) 702 KAR 7:125E – Pupil attendance;*

20 *(d) 702 KAR 7:140E – School calendar;*

21 *(e) 800 KAR 1:010E – Team Kentucky Fund;*

22 *(f) 820 KAR 1:050E – Raffles;*

23 *(g) 902 KAR 2:020E – Reportable disease surveillance;*

24 *(h) 902 KAR 002:210E – Covering the face in response to declared national or*
25 *state public health emergency;*

26 *(i) 902 KAR 2:220E – School notification standards related to COVID-19;*

27 *(j) 902 KAR 4:140E – Enhanced HANDS services in response to declared*

- 1 *national or state public health emergency;*
- 2 *(k) 902 KAR 30:010E – Enhanced early intervention services in response to*
- 3 *declared national or state public health emergency;*
- 4 *(l) 922 KAR 1:490E – Background checks for foster and adoptive parents,*
- 5 *caretaker relatives, kinship caregivers, fictive kin, and reporting*
- 6 *requirements; and*
- 7 *(m) 922 KAR 2.410E – CHFS/Department for Community Based Services:*
- 8 *Enhanced requirements for certified and licensed child care and limited*
- 9 *duration child care programs as a result of a declared state of emergency.*

10 ➔Section 2. Whereas the COVID-19 pandemic continues to be an issue of great
 11 concern and the consultation between state agencies and the General Assembly needs to
 12 begin without delay, an emergency is declared to exist, and this Act takes effect upon its
 13 passage and approval by the Governor or upon its otherwise becoming a law.