

1 AN ACT relating to energy source availability.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) Except as provided in subsection (2) of this section, no law, ordinance, policy,*  
6 *resolution, code, or other form of executive, administrative, or legislative action*  
7 *shall be enacted, adopted, or enforced that has the purpose or effect of*  
8 *prohibiting, discriminating against, restricting, limiting, or impairing, based*  
9 *upon the energy source, a consumer's ability to use:*

10 *(a) The utility services that are described in KRS 278.010(3)(a), (b), or (c) and*  
11 *that are provided by a utility that is regulated by the Public Service*  
12 *Commission under KRS Chapter 278 or is otherwise incorporated under*  
13 *KRS Chapter 279; or*

14 *(b) Liquefied petroleum gas as defined in KRS 234.100.*

15 *(2) Nothing in this section shall be interpreted or construed to prohibit or alter the*  
16 *powers and authority of the Public Service Commission under KRS Chapter 278,*  
17 *or the ability of a local government to act in any manner under the laws of the*  
18 *Commonwealth in all matters other than those enumerated in subsection (1) of*  
19 *this section, including but not limited to the power to act:*

20 *(a) Pursuant to authority granted under KRS Chapter 100;*

21 *(b) Pursuant to authority granted under Sections 163 and 164 of the Kentucky*  
22 *Constitution and any law enacted pursuant to those Sections; and*

23 *(c) Through the local government or its utilities to provide any lawful utility*  
24 *service to its customers pursuant to state law.*

25 *(3) As used in this section, "local government" means any city, county, urban-*  
26 *county government, consolidated local government, unified local government, or*  
27 *charter county government.*