

1 AN ACT relating to executive orders issued by the President of the United States.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 7 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The Legislative Research Commission may review any executive order issued by*
6 *the President of the United States if the order has not been affirmed by a vote of*
7 *the Congress of the United States and signed into law.*

8 *(2) The Legislative Research Commission may request that the Attorney General*
9 *furnish an opinion on the constitutionality of the order pursuant to KRS 15.020.*

10 *(3) The Legislative Research Commission or Attorney General may seek to have the*
11 *order declared unconstitutional in a court of competent jurisdiction.*

12 *(4) In addition to, or in lieu of, the relief set forth in subsection (3) of this section, the*
13 *Legislative Research Commission, Attorney General, or the Governor may seek*
14 *an exemption from the application of the order, irrespective of its*
15 *constitutionality.*

16 *(5) No state agency, political subdivision, or any elected or appointed official or*
17 *employee of this Commonwealth or of a political subdivision of this*
18 *Commonwealth may implement an order from the President of the United States*
19 *that restricts a person's rights as guaranteed by the United States Constitution or*
20 *Constitution of Kentucky, or that is determined by the Attorney General to be*
21 *unconstitutional.*

22 ➔Section 2. KRS 15.025 is amended to read as follows:

23 The Attorney General, when requested in writing, under KRS 15.020, shall furnish such
24 opinions subject to the following conditions:

25 (1) When questions of law of interest to the Commonwealth are submitted by a state
26 department, agency, board or commission;

27 (2) When public questions of law are submitted by either house of the Legislature or by

1 any member of the Legislature;

2 (3) When public questions of law pertaining to local government are submitted in
3 writing by the proper public official of the county or other political subdivision of
4 the Commonwealth;

5 (4) When, in the discretion of the Attorney General, the question presented is of such
6 public interest that an Attorney General's opinion on the subject is deemed desirable
7 and when provided for by regulation pursuant to the provisions of this section;

8 (5) When questions of the constitutionality of executive orders issued by the
9 President of the United States are submitted by the Legislative Research
10 Commission.