

1 AN ACT relating to the expenditure of appropriated funds 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 48 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) Notwithstanding any statute, administrative regulation, or common law to the*
7 *contrary, and except as provided in this subsection, appropriations from the*
8 *general fund, any restricted fund, the road fund, or any federal funds, whether*
9 *for employee time or any other purpose, shall not be expended by an elected*
10 *statewide constitutional officer, except the Attorney General, nor by any other*
11 *state official, employee, or agency, in support of a challenge to the*
12 *constitutionality of any legislative act or resolution of the General Assembly,*
13 *whether supporting in the role of plaintiff, petitioner, party, intervening party,*
14 *attorney, amicus curiae, or any other capacity.*

15 *(2) If the constitutionality of subsection (1) of this section is challenged through*
16 *litigation, the Attorney General shall be the sole named respondent for the*
17 *Commonwealth of Kentucky in such litigation and shall consult with the*
18 *Legislative Research Commission regarding defense of such litigation.*

19 ➔Section 2. This Act shall retroactively apply to January 1, 2022.

20 ➔Section 3. Whereas the provisions of this Act are imperative to the General
21 Assembly's constitutional authority to make the laws, the Governor's constitutional
22 obligation to enforce those laws, and the public's confidence in its elected chief legal
23 officer to advise as to the constitutionality of legislation, an emergency is declared to
24 exist, and this Act takes effect upon its passage and approval by the Governor or upon its
25 otherwise becoming a law.