

1 AN ACT relating to the General Assembly and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 6 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The President of the Senate on behalf of the Senate, the Speaker of the House of*
6 *Representatives on behalf of the House of Representatives, or the President of the*
7 *Senate and the Speaker of the House of Representatives jointly on behalf of the*
8 *General Assembly, may intervene as a matter of right in any action or proceeding*
9 *challenging the constitutionality or validity of any legislative act or any*
10 *Kentucky:*

11 *(a) Statute;*

12 *(b) Executive order;*

13 *(c) Administrative regulation; or*

14 *(d) Order of any cabinet, program cabinet, department, or administrative body.*

15 *(2) A motion to intervene under subsection (1) of this section shall be filed with the*
16 *court within ninety (90) days of the filing of an action challenging the*
17 *constitutionality or validity of any legislative act, executive or state agency order,*
18 *or administrative regulation listed in subsection (1) of this section.*

19 *(3) Nothing in this section is intended to waive, nor shall it be construed, interpreted,*
20 *or applied to waive or abrogate in any way, any legislative or other immunity or*
21 *legislative or other privilege of the General Assembly or the Legislative Research*
22 *Commission, or any member or staff of the General Assembly or the Legislative*
23 *Research Commission, as provided by the Constitution or laws of the United*
24 *States or the Constitution or laws of the Commonwealth of Kentucky.*

25 *(4) In all matters:*

26 *(a) Legislative immunity and legislative privilege shall be applied and*
27 *interpreted as broadly as constitutionally permissible and shall remain*

- 1 *inviolate;*
2 *(b) Legislative immunity and legislative privilege are expressly preserved for all*
3 *members and staff of the General Assembly, including organizations within*
4 *the legislative branch, for every act or exercise within the legitimate sphere*
5 *of legislative activity; and*
6 *(c) An individual legislator's immunity is personal to the member and may not*
7 *be waived or abrogated except explicitly by that member.*

8 ➔Section 2. Whereas there are existing court cases relating to legislative action of
9 the General Assembly that are ongoing, an emergency is declared to exist, and this Act
10 takes effect upon its passage and approval by the Governor or upon its otherwise
11 becoming a law.