



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2022-870
December 21, 2022

STATE OF EMERGENCY

Beginning on December 22, 2022, and continuing, a severe winter storm containing rain, freezing rain, sleet, ice, snow, severe winds, and artic temperatures will impact the Commonwealth creating dangerous travel conditions and damage to public infrastructure, utility distribution systems, and private properties; and

These conditions will endanger public health and safety and/or public and private property; and

State and local governments share responsibility for protection of public health, safety, and security as well as for the protection of public and private property and for taking appropriate actions to ensure the provision of essential public services;

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution and KRS Chapter 39A, do hereby declare a State of Emergency exists in the Commonwealth of Kentucky and do hereby ORDER and DIRECT that:

1. The Division of Emergency Management within the Department of Military Affairs shall execute the Kentucky Emergency Operations Plan and, from the Kentucky Emergency Operations Center, shall coordinate the response and relief activities of all state agencies and private relief organizations in response to this emergency.
2. The Adjutant General is authorized to issue active duty orders for the mobilization of such National Guard personnel and equipment as he may determine to protect life and safety, to continue essential public services and to prevent undue loss and suffering.
3. All state agencies shall coordinate any and all public and emergency information and/or activities/releases related to this emergency and the response efforts of state agencies with the Division of Emergency Management.
4. All state agencies shall provide sufficient personnel required for the staffing of the Kentucky Emergency Operations Center or other command, control, and coordination points as may be designated by the Division of Emergency Management's Director and shall provide such personnel, vehicles, equipment, and other resources needed to protect life and property and to ensure continuation, restoration and recovery of essential public services.
5. The Finance and Administration Cabinet is directed to provide assistance with incident/disaster resource management, procurements and contracting and to fund the urgent operational and/or response of the Division of Emergency Management and the unbudgeted expenditures and obligations of other state agencies that are incurred in response to and recovery from this emergency incident and in executing the provisions of this Executive Order.
6. The Division of Emergency Management is authorized to request assistance, federal, state, local, private sector, volunteer, and donated resources as may be available to minimize human suffering and to restore essential services to the



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general population and to assist state and local governments and individuals impacted by this emergency.

7. The Division of Emergency Management shall consult with the American National Red Cross and local officials to determine the need for emergency shelters for displaced families and shall coordinate with local government, school boards, and other organizations to determine the availability of schools and other facilities to be used as shelters during this emergency.
8. Transportation on and access to any and all public roadways in the affected area may be restricted or prohibited in the interest of public health and safety.

This Order shall be effective December 21, 2022.



Andy Beshear

ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
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2022-871
December 21, 2022

STATE OF EMERGENCY RELATING TO
THE PROHIBITION AGAINST PRICE GOUGING

Beginning on December 22, 2022, and continuing, a severe winter storm containing rain, freezing rain, sleet, ice, snow, severe winds, and artic temperatures will impact the Commonwealth creating dangerous travel conditions and damage to public infrastructure, utility distribution systems, and private properties. Under the powers provided by the Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, I declared by Executive Order 2022-870 on December 21, 2022, that a State of Emergency exists in the Commonwealth. Under the Kentucky Constitution and KRS Chapter 367, I am empowered to implement certain provisions of law aimed toward protecting Kentucky consumers.

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution and KRS Chapters 367 and 39A, do hereby implement the provisions of KRS 367.372, *et seq.*, as to the sale of goods and services, and do hereby Order and Direct that:

1. No person, within the meaning of KRS 446.010, shall sell or offer to sell any good or service delineated in KRS 367.374(1)(b) at a price grossly in excess of the price prior to the declaration by Executive Order 2022-870 on December 21, 2022, that a Statewide State of Emergency exists in the Commonwealth of Kentucky.
2. The foregoing is subject to the qualifications and limitations set forth otherwise in KRS 367.372, *et seq.*, with regard to increased cost to sellers *inter alia*.
3. Any person who violates the provisions of KRS 367.372, *et seq.*, as implemented by this Order, shall be subject to the penalties set forth in KRS 367.378 or other applicable law.
4. The Division of Emergency Management shall immediately notify the public and those registered with the Division for the purpose of receiving notice of the implementation, renewal, or termination of the provision of this Order relating to KRS 367.374. The Division shall notify the public by any means available, including the Division's Web site, news media, and electronic mail. Any person



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or trade association may register with the Division for the purpose of receiving notification.

This Order shall be effective on December 21, 2022.



ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State