



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2023-155
March 17, 2023

STATE OF EMERGENCY RELATING TO
THE PROHIBITION AGAINST PRICE GOUGING

Beginning on March 2, 2023, and continuing, a severe weather system containing heavy rain, hail, intense damaging winds, and potentially tornadoes is impacting the Commonwealth, creating dangerous conditions, including flooding, flash flooding, landslides, and mudslides, which cause 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 2023-128 on March 3, 2023, that a State of Emergency exists in the Commonwealth. Under the Kentucky Constitution and Chapter 367 of the Kentucky Revised Statutes, I declared by Executive Order 2023-129 on March 3, 2022 that a state of emergency exists in the Commonwealth of Kentucky and implemented the provisions of KRS 367.372, *et seq.*, as to the sale or offer of goods or services delineated in KRS 367.374(1)(b) at a price grossly in excess of the price prior to the declaration by Executive Order 2023-128.

The state of emergency continues in the Commonwealth.

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 renew the implementation of 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 2023-128 on March 3, 2023, 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 or trade association may register with the Division for the purpose of receiving notification.



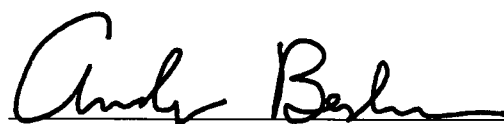
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This Order shall be effective on March 19, 2023, upon the expiration of Executive Order 2023-129.



ANDY BESHEAR, Governor
Commonwealth of Kentucky



MICHAEL G. ADAMS
Secretary of State

RECEIVED AND FILED

DATE

3/17/2023

MICHAEL G. ADAMS

SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

[Handwritten Signature]