



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2024-063
January 25, 2024

**STATE OF EMERGENCY RELATING TO
THE PROHIBITION AGAINST PRICE GOUGING**

Beginning on January 5, 2024, and continuing, an ongoing water shortage has existed in the City of Fleming-Neon in Letcher County because of low levels of water in its freshwater well, and limited rainfall, especially during the summer of 2023, has caused the water shortage to become critical in recent days. These conditions endanger public health and safety and/or public and private property. Under the powers provided by the Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A and KRS 151.200, I declared by Executive Order 20224-027 on January 10, 2024, that a State of Emergency exists in the City of Fleming-Neon in Letcher County, Kentucky. Under the Kentucky Constitution and Chapter 367 of the Kentucky Revised Statutes, I declared that a State of Emergency exists in the City of Fleming-Neon in Letcher County, Kentucky, and implemented the provisions of KRS 367.372, *et seq.*, as to the sale 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 2024-027.

The State of Emergency continues in the City of Fleming-Neon in Letcher County, Kentucky.

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 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 2024-027 on January 10, 2024, that a State of Emergency exists in the City of Fleming-Neon in Letcher County, 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.



ANDY BESHEAR
GOVERNOR

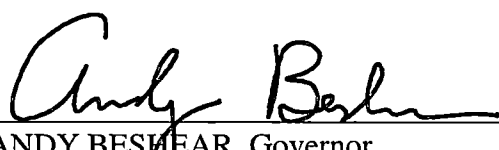
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This Order shall be effective on January 26, 2024, upon the expiration of Executive Order 2024-028.




ANDY BESHEAR, Governor
Commonwealth of Kentucky

RECEIVED AND FILED
DATE 5/26/2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 