



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2025-124
February 26, 2025

STATE OF EMERGENCY
RELATING TO UNEMPLOYMENT INSURANCE CLAIMS AND BENEFITS

Beginning on February 15, 2025, and continuing, a severe weather event with heavy and torrential rain impacted the Commonwealth, causing flash flooding, flooding and landslides, dangerous travel and road conditions, and damage to public infrastructure, utility distribution systems, and private properties, and endangering the public health and safety.

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.

The economic impacts of this powerful severe weather system are severe, including loss of jobs.

By virtue of the authority vested in me as the Governor of the Commonwealth of Kentucky, and by the Kentucky Constitution and KRS Chapter 39A, on February 14, 2025 I declared by Executive Order 2025-095 that a State of Emergency existed in the Commonwealth of Kentucky, and I declared that a State of Emergency exists under Executive Order 2025-096 to implement the provisions of KRS 367.372, *et seq.*, to prohibit price gouging.

On February 16, 2025, President Donald J. Trump approved a Major Disaster Area Declaration for Kentucky, EM-3624-KY. On February 24, 2025, President Donald J. Trump also approved a Major Disaster Area Declaration and Individual and Public Assistance, FEMA-DR-4860-KY, for the following Kentucky counties: Breathitt; Clay; Knott; Harlan; Lee; Letcher; Martin; Owsley; Perry; and Pike. Subsequently, FEMA-DR-4860-KY was amended to add Floyd County, and future amendments are anticipated.

Current state law requires a claimant for unemployment insurance benefits to serve a waiting period of one (1) week, during which he or she has not received benefits, before being eligible to receive unemployment insurance benefits.

Section 303(a)(12) of the Social Security Act, 42 U.S.C. 503(a)(12), includes a requirement that as a condition of eligibility for regular compensation for any week a claimant must be able to work, available to work, and actively seeking work.

Section 301 of the Stafford Act permits the United States Department of Labor to waive upon request certain administrative conditions related to the disaster unemployment assistance program and regular unemployment compensation program.

NOW THEREFORE, I Andy Beshear, by virtue of authority vested in me pursuant to the Constitution of Kentucky and by KRS Chapter 39A, do hereby **ORDER** and **DIRECT** as follows:

1. During the declared state of the emergency under Executive Order 2025-095, the able to work, available to work, and active work search requirements set forth in KRS 341.350(4) and (5) are hereby suspended as to any individual who is located



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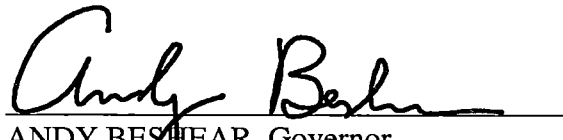
Secretary of State
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Kentucky

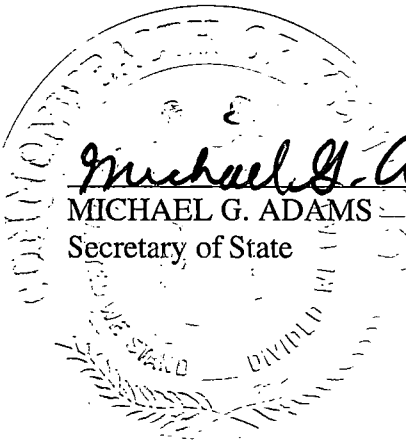
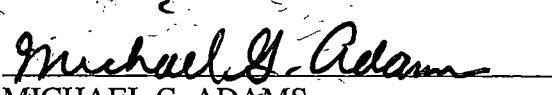
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or working in the Kentucky counties affected by the emergency conditions referenced in Executive Order 2025-095, the President's Major Disaster Area Declarations, FEMA-EM-3624-KY, and FEMA-DR-4860-KY, including: Breathitt; Clay; Floyd; Knott; Harlan; Lee; Letcher; Martin; Owsley; Perry; and Pike counties.

2. For those unemployed workers covered by Paragraph 1 of this Executive Order, the requirement that unemployed workers located or working in the affected counties serve a waiting period of seven (7) days, otherwise known as the "waiting week period," prior to becoming eligible for unemployment insurance benefits as set forth in KRS 341.350(2) is hereby suspended for such period. The affected counties include: Breathitt; Clay; Floyd; Knott; Harlan; Lee; Letcher; Martin; Owsley; Perry; and Pike counties.

This Order is effective February 26, 2025.


ANDY BESHEAR, Governor
Commonwealth of Kentucky



MICHAEL G. ADAMS
Secretary of State

RECEIVED AND FILED
DATE February 27, 2025

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Katherine Ellis



**RUSSELL COLEMAN
ATTORNEY GENERAL
DEPARTMENT OF LAW**

EXECUTIVE ORDER

**2025-02
February 26, 2025**

Whereas, the Governor has issued Executive Order 2025-124, entitled “State of Emergency Relating to Unemployment Insurance Claims and Benefits,” which in relevant part suspends the operation of KRS 341.350(2), KRS 341.350(4), and KRS 341.350(5) for the duration of the declared state of emergency under Executive Order 2025-095;

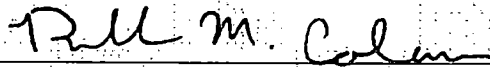
Whereas, KRS 39A.180(2)(b) provides that the Governor may suspend a statute by executive order when an emergency is declared if the statute to be suspended is specifically enumerated by the Governor in the executive order and the executive order specifying the suspension is approved by the Attorney General in writing;

Whereas, KRS 39A.090(2) provides that “executive orders, administrative regulations, or other directives issued under this chapter by the Governor” shall be in effect no longer than thirty (30) days unless otherwise approved by the General Assembly or requested by certain local government officials; and,

Whereas, I have reviewed Executive Order 2025-124 and find that the suspension of KRS 341.350(2), KRS 341.350(4), and KRS 341.350(5) as provided for therein is not an unreasonable exercise of the Governor's authority under KRS 39A.180(2)(b).

NOW THEREFORE, pursuant to the authority vested in me by KRS 39A.180(2)(b), I, Russell Coleman, Attorney General of the Commonwealth of Kentucky, do hereby **APPROVE** the suspension of KRS 341.350(2), KRS 341.350(4), and KRS 341.350(5) as reflected in Executive Order 2025-124 for a period consistent with KRS 39A.090(2).

So **ORDERED** this the 26th day of February, 2025.



RUSSELL COLEMAN,
Attorney General
Commonwealth of Kentucky