



STEVEN L. BESHEAR  
GOVERNOR

EXECUTIVE ORDER

Secretary of State  
Frankfort  
Kentucky

2010-633  
July 21, 2010

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

**WHEREAS**, beginning on July 17, 2010, severe thunderstorms, heavy rainfall, flash flooding, and generalized flooding moved across Pike County and Shelby County Kentucky resulting in loss of life and personal injury, widespread damages, flooding, power outages, damages to public and private property and road closures; and

**WHEREAS**, beginning on July 20<sup>th</sup>, 2010, Kentucky Emergency Management has been notified by local emergency management officials in Carter, Fleming, Lewis, and Rowan Counties that severe storms and devastating flash floods occurred in those counties that resulted in the loss and damage of public and private property and which caused significant impact to county infrastructure; and

**WHEREAS**, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and by Chapter 39A of the Kentucky Revised Statutes, did declare by Executive Order on July 19, 2010, a State of Emergency in Pike County and Shelby County Kentucky and, thereafter, I further declared the existence of a Statewide State of Emergency by Executive Order issued on July 20, 2010; and

**WHEREAS**, under such circumstances, I am further empowered by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes to implement certain provisions of law aimed toward protecting Kentucky consumers:

**NOW, THEREFORE**, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes, 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:



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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 on July 19, 2010, that a State of Emergency exists in Pike County and Shelby County Kentucky and further declaration by Executive Order on July 20, 2010, 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 provisions 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.

This Order shall be in effect for the duration of the State of Emergency herein referenced, and shall be subject to renewal thereafter, subject to applicable law, if necessary to protect the lives, property, or welfare of the citizens of the Commonwealth of Kentucky.

A handwritten signature in black ink, appearing to read "Steve Beshear".

STEVEN L. BESHEAR, Governor  
Commonwealth of Kentucky

A handwritten signature in black ink, appearing to read "Trey Grayson".  

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TREY GRAYSON  
Secretary of State