



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2010-287
May 3, 2010

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

WHEREAS, beginning on May 1, 2010, strong storms producing tornados, severe thunderstorms, heavy rainfall, flash flooding, and generalized flooding moved across the Central and Eastern parts of the Commonwealth of 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, 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 May 3, 2010, a statewide State of Emergency; 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 my 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:

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 May 3, 2010, that a State of Emergency exists in the Commonwealth of Kentucky.



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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.


STEVEN L. BESHEAR, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State