



Commonwealth of Kentucky
Office of the Attorney General

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OAG 20-08

- Subject:* The effective date of legislation passed during the 2020 Regular Session of the Kentucky General Assembly.
- Requested by:* Jay D. Hartz, Executive Director
Legislative Research Commission
- Written by:* James M. Herrick, Assistant Attorney General
Office of Civil & Environmental Law
- Syllabus:* Under Section 55 of the Kentucky Constitution, the effective date of legislation passed by the 2020 Regular Session of the Kentucky General Assembly, except for general appropriation measures and those containing emergency or delayed effective date provisions, is Wednesday, July 15, 2020, since 90 full days will then have passed after final adjournment on April 15, 2020.

Opinion of the Attorney General

On April 15, 2020, the 2020 Regular Session of the General Assembly adjourned *sine die*. Thus, the effective date of legislation, other than general appropriation bills and acts containing emergency or delayed effective date provisions, passed during this session is Wednesday, July 15, 2020.

Section 55 of the Constitution of Kentucky provides:

No act, except general appropriation bills, shall become a law until ninety days after the adjournment of the session at which it was passed, except in cases of emergency, when, by the concurrence of a majority of the members elected to each House of the General Assembly, by a ye and nay vote entered upon their journals, an act may become a law when approved by the Governor, but the reasons for the emergency that justifies this action must be set out at length in the journal of each House.

As used in Section 55, “until ninety days after the adjournment” means that the day of adjournment is excluded when calculating the 90-day period. It follows that the 90th day is included in the period so that 90 full days expire after final adjournment and before certain legislation passed during the session becomes effective. *See* OAG 19-005.

Under Section 55 of the Kentucky Constitution, the General Assembly having adjourned on April 15, 2020 *sine die*, it is the opinion of this Office that the first day of the 90-day period after the session is Thursday, April 16, 2020, and the 90th day of that period is Tuesday, July 14, 2020. When that 90th day has expired, ninety full days will have passed after the adjournment *sine die* of the 2020 Regular Session of the Kentucky General Assembly. Thus, legislation (except for general appropriation measures and those containing emergency or delayed effective date provisions) passed during the 2020 Regular Session of the Kentucky General Assembly will be effective on Wednesday, July 15, 2020.

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