

**COMMONWEALTH OF KENTUCKY**

**EXECUTIVE BRANCH  
ETHICS COMMISSION**



**BIENNIAL REPORT**

**JULY 1, 2023 - JUNE 30, 2025**

**33 YEARS OF SERVICE  
JULY 1, 1992 – JUNE 30, 2025**

*Printed with State Funds*  
*2025*

EXECUTIVE BRANCH ETHICS COMMISSION

# **Executive Branch Ethics Commission BIENNIAL REPORT**

**FISCAL YEARS ENDING JUNE 30, 2024, AND JUNE 30, 2025**

## **COMMISSION CHAIR & VICE CHAIR**

**Sen. David K. Karem (Ret.)**

Chair, July 11, 2024 - Present

Vice-Chair, July 14, 2020 – July 11, 2024

(Member, May 27, 2020 - Present)

**Crit Luallen**

Vice-Chair, July 11, 2024 - Present

(Member, May 27, 2020 - Present)

## **COMMISSION MEMBERS**

**Justice Daniel J. Venters (Ret.)**

(Member, June 15, 2020 - Present)

**David S. Samford**

(Member, June 23, 2020 - Present)

**Richard H. Campbell, Jr.**

(Member, June 13, 2024 - Present)

## STAFF

Susan Stokley Clary, Executive Director  
(April 16, 2022, to present)

Sucheta Meena Mohanty, General Counsel  
(August 16, 2023, to present)  
(Deputy General Counsel - January 16, 2019, to August 15, 2023)

Jessica Morgan Robles, Deputy General Counsel  
(February 16, 2025, to present)

L. Adrienne Willis, Executive Assistant/Paralegal  
(September 16, 2022, to present)

Jenny May, Administrative Assistant/Lobbyist Coordinator  
(October 16, 1994, to present)

Bella Wells, Investigator  
(Part-time, June 1, 2018, to present)

Nellie Ramsey, Administrative Assistant/SFD Coordinator  
(Part-time, May 16, 2021, to present)

Virginia W. Hill, Administrative Assistant  
(Part-time, November 1, 2023, to present)

Caroline Shackleton, Law Clerk  
(Interim, May 14, 2025, to present)

## FORMER STAFF

Eden Davis Stephens, Deputy General Counsel (November 2023 to January 2025)  
Emily Prince, Law Clerk (May 2023 to February 2024)  
Katie Nipper, Law Clerk (May 2024 to August 2024)

Capital Complex East  
1025 Capital Center Drive, Suite 104  
Frankfort, Kentucky 40601  
(502) 564-7954  
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<http://ethics.ky.gov/>

*The Executive Branch Ethics Commission's goal is to promote the ethical conduct of state officials and employees and to ensure proper regulation of executive agency lobbyists and their employers. This report covers the activities of the Ethics Commission during the fiscal years ended June 30, 2024, and June 30, 2025, as required by KRS 11A.110(13). It is intended to serve as a guide to the responsibilities of the Ethics Commission and as a record of its major activities and decisions during the biennium.*



COMMONWEALTH OF KENTUCKY  
**EXECUTIVE BRANCH ETHICS COMMISSION**

SEN. DAVID K. KAREM (RET.)  
CHAIR

CRIT LUALLEN  
VICE CHAIR

JUSTICE DANIEL J. VENTERS (RET.)  
DAVID S. SAMFORD  
RICHARD H. CAMPBELL, JR.

CAPITAL COMPLEX EAST  
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SUSAN STOKLEY CLARY  
EXECUTIVE DIRECTOR

SUCHETA MEENA MOHANTY  
GENERAL COUNSEL

December 1, 2025

Governor Andrew Beshear  
Legislative Research Commission  
Citizens of the Commonwealth of Kentucky

On behalf of the Kentucky Branch Ethics Commission and its staff, I am pleased to submit the Ethics Commission's Biennial Report for the fiscal years ending June 30, 2024, and June 30, 2025. The purpose of the Biennial Report is to document and summarize the work of the Ethics Commission during this two-year period for future generations. In addition to the biennial data, the Ethics Commission has also compiled data from its over 33 years of service.

The Legislature has charged the Ethics Commission, an independent body of five citizen members from various regions throughout the state, with promoting ethical conduct within the Executive Branch of the Commonwealth. During the 2024-2025 Biennium, an experienced and dedicated staff supported the Ethics Commission. In fulfilling its mission, the Ethics Commission promotes and enforces the Executive Branch Code of Ethics enacted in KRS Chapter 11A and Title 9 of the KAR. It does so in various ways including the following: the provision of ethics training to Executive Branch officials, departments, and divisions; issuance of ethics opinions for guidance to Executive Branch employees and citizens who deal with Executive Branch agencies; review of financial disclosure statements filed pursuant to the requirements of the Code; the regulation of lobbyists, their employers, and real parties in interest; and enforcement proceedings against those who have violated the Code.

As you can see from the report that follows, the Ethics Commission has a proven record of successfully implementing its statutory mandates. The Ethics Commission is committed to continuing to promote the highest ethical standards among members of the Executive Branch as it has every year since its inception. We respectfully request the continued support of the Commonwealth, its elected officials, and its citizens, for it is only with this support that the Ethics Commission can continue its important work.

Respectfully submitted,

David K. Karem (Ret.)  
Chair  
Executive Branch Ethics Commission

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# **INTRODUCTION TO THE ETHICS COMMISSION**

## **AUTHORITY**

The Executive Branch Code of Ethics (the Ethics Code) created by Kentucky Revised Statutes (KRS) Chapter 11A, effective July 14, 1992, provides the ethical standards that govern the conduct of over 30,000 executive branch public servants, elected officials, and professional executive branch lobbyists and their employers and real parties in interest. The Ethics Code was enacted to restore and promote public trust in the administration of the government of the Commonwealth and its employees. The Executive Branch Ethics Commission (the Ethics Commission), authorized by KRS 11A.060, is responsible for administering and enforcing the provisions of the Ethics Code. For over 33 years the appointed members of the Ethics Commission have served to ensure independent enforcement of the Ethics Code. The Ethics Commission is part of the General Government Cabinet but is attached to the Finance and Administration Cabinet for administrative purposes only.

## **LEGISLATIVE HISTORY**

On December 10, 1991, shortly after taking office, Governor Brereton C. Jones issued Executive Order 91-2, setting standards of ethical conduct for executive branch employees. Executive Order 91-2 detailed prohibited activities for executive branch employees, continued the required financial disclosure by certain employees and directed the Governor's general counsel to work with a Legislative committee to draft a Code of Ethics for all state government. This was the beginning of the Ethics Code. While the original draft of the Commonwealth Ethics Code legislation included employees and officers of both the executive branch and the legislative branch along with circuit clerks, on April 12, 1992, Senate Bill 63 was passed by the General Assembly, creating the "Executive Branch Code of Ethics," codified as KRS Chapter 11A. The Ethics Code became effective in July 1992. During the 1993 Special Session of the General Assembly, held to enact a Legislative Code of Ethics, the Executive Branch Code of Ethics was amended to include a new section pertaining to executive agency lobbying, effective September 1993. Amendments have been made to the Code of Ethics during subsequent sessions of the General Assembly.

## **MISSION STATEMENT**

The mission of the Ethics Commission is to promote the ethical conduct of elected officials, officers, and other public servants in the executive branch of state government and to provide for open government through the disclosures of lobbyists and public servants, thereby increasing the public trust in the administration of state government. The Commission accomplishes its mission through training and enforcement. The importance of having state officials and public servants who uphold high ethical standards, and who promote confidence in government, cannot be overstated. Public servants trained to follow the Ethics Code are less likely to abuse state time and resources, mismanage government funds and resources, or engage in conduct that might damage the public trust. A robust and active Ethics Commission, with sufficient resources allocated to it to support the full enforcement of the Ethics Code, will continue to deter public servants from the conduct that resulted in the creation of the Ethics Code and the Ethics Commission in 1992.

Thirty-three years after BOPROT, the Ethics Commission serves as a beacon to fight public corruption and to hold officials publicly accountable who abuse state resources for their personal ends.

The Ethics Commission seeks to fulfill its mission through:

- Education and training of executive branch public servants, elected officials, and lobbyists.
- Guidance to public servants and lobbyists concerning their ethical conduct, including the issuance of advisory opinions, manuals, pamphlets, staff opinions, letters, emails, phone calls, and in-person guidance.
- Investigation of possible violations and enforcement of the provisions of the Ethics Code.
- Administrative Proceedings, conducted pursuant to KRS 13B, providing due process for all those charged with violations of the Ethics Code.
- Litigation in defense of the Ethics Commission's final actions and the Ethics Code.
- Filing and auditing financial disclosure statements filed by state officers, candidates for constitutional office, and elected constitutional officers.
- Receipt and review of executive agency lobbyists' registration statements and creation and maintenance of a database of lobbyist filings.
- Improvements to the Ethics Code through recommendations for legislation and the issuance of administrative regulations.

## **THE ETHICS CODE-KRS CHAPTER 11A**

KRS Chapter 11A requires that public servants work for the benefit of the people of the Commonwealth of Kentucky. The Ethics Code recognizes that public office is a public trust where government is based upon the consent of its citizens. Citizens are entitled to have complete confidence in the integrity of their government. As such, the Ethics Code provides these overarching principles for public servants to follow:

Public Servants must be independent and impartial.

A Public Servant's decisions and policy determinations must not be made outside the established processes of government.

Public Servants should not use public office to obtain private benefits.

A Public Servant's actions should promote public confidence in the integrity of government.

KRS 11A.005

## **WHO IS COVERED BY THE ETHICS CODE:**

All state officers and public servants in the executive branch of state government are subject to the Ethics Code, unless otherwise provided by law. The Ethics Code also covers members of certain boards and commissions. The Ethics Code refers to these employees as "Public Servants."

## **WHO IS A PUBLIC SERVANT?**

Every employee of every executive branch agency is a public servant covered by the Ethics Code unless they are covered under a separate statutory code of ethics. Public servants include every employee of the Executive Branch, regardless of whether they are merit or non-merit, part-time or interim, seasonal or permanent. Any person who is hired through a contract to perform a function of a position that is full-time and non-seasonal is also considered to be a public servant covered by



the Ethics Code. Each public servant is responsible for knowing and complying with these laws and receives training upon hiring and annually thereafter.

However, the following are excluded from the Ethics Code by KRS 11A.015 or by other legislation:  
KRS Chapter 16 sworn officers of the Kentucky State Police.

Employees of the KY Lottery Corporation.

Employees of secondary education.

Employees of public universities.

Employees of the Legislative Research Commission.

Employees of the Administrative Office of the Courts.

County and city elected officials included in KRS 65.003.

Employees of county and city elected officials.

### **WHO IS AN OFFICER?**

Some of the provisions of the Ethics Code *only* apply to officers. Only “officers” are required to file “Annual”, “Leaver”, and “New Hire” Statements of Financial Disclosure and to follow certain post-employment rules. Officers include the following:

Constitutional Officers.

“Major Management” Personnel: This term is not defined by statute, but guidance was provided in Advisory Opinion 17-05. Any employee who can step into the role of a named position in the absence of that officer or any employee with the authority to set policy, determine the award of contracts or business relationships, hire and fire employees, or establish the budget for an agency may be considered to be an officer.

Property Valuation Administrators: *EBEC v. Atkinson*, Ky. App., 339 S.W.3d 472 (2010).

Commonwealth’s Attorneys: Advisory Opinion 22-03.

Specifically Named Positions:

Secretary of the Cabinet

Governor’s chief executive officers

Cabinet Secretaries and Deputy Secretaries

General Counsels

Commissioners and Deputy Commissioners

Division Directors

Staff Assistants

Executive Advisors

Executive Directors

Executive Assistants

Policy Advisors

Special Assistants

Administrative Coordinators

Certain Contract Employees: Anyone holding a position by contract that would otherwise be considered a full-time position for any of the above positions is also considered an “officer.” This does not include “seasonal” or “interim” employees.

Members and full-time chief administrative officers of the following Boards and Commissions:

The Parole Board

Office of Claims and Appeals

Board of Tax Appeals

Board of Claims

Crime Victims Compensation Board  
Kentucky Retirement Systems Board of Trustees  
Kentucky Teachers' Retirement System Board of Trustees  
The Kentucky Public Employees Deferred Compensation Authority Board of Trustees  
Public Service Commission  
Worker's Compensation Board and its administrative law judges  
The Kentucky Occupational Safety and Health Review Commission  
The Kentucky Board of Education  
The Council on Postsecondary Education  
County Employees Retirement Board of Trustees  
Kentucky Public Pensions Authority and  
The Kentucky Horse Racing and Gaming Corporation [exempted from KRS 11A.040(6)-(10)]  
Members of salaried boards and commissions, as defined by KRS 11A.010(21):  
Advisory Opinion 19-05 (Unemployment Insurance Commission Members)  
Advisory Opinion 19-06 (State Board of Elections Members)

## COMMISSION MEMBERS

The Ethics Commission is currently composed of five members appointed by the Governor to serve four-year terms. In May of 2008, pursuant to Executive Order 2008-454, Governor Steve Beshear set out a process to appoint two of the five Commission members from lists of names submitted by the Attorney General and the Auditor of Public Accounts. In 2016, through Executive Order 2016-377, Governor Matthew Bevin rescinded EO 2008-454. On May 27, 2020, through Executive Order 2020-423, Governor Andy Beshear rescinded EO 2016-377, and reorganized the Ethics Commission to include three gubernatorial appointees and two appointees selected from lists submitted by the Attorney General and the Auditor of Public Accounts. In 2022, the Kentucky Legislature enacted HB 334, which is currently in litigation.

The following individuals served on the Ethics Commission during the 2023-2025 biennium.



**2024-2025 MEMBERS OF THE ETHICS COMMISSION:**

PICTURED(from left to right): Sen. David K. Karem (Ret.), Chair, Crit Luallen, Vice Chair, Richard H. Campbell, Jr., David S. Samford, and Justice Daniel J. Venters (Ret.).



**2023-2024 MEMBERS OF THE ETHICS COMMISSION:**

PICTURED(from left to right): Justice Daniel J. Venters (Ret.), Sen. David K. Karem (Ret.), Vice Chair, Judge Roger L. Crittenden (Ret.), Chair, Crit Luallen, and David S. Samford.

Note: Judge Roger L. Crittenden served as Chair and a Member of the Commission until June 13, 2024.

**COMMISSION CHAIR & VICE CHAIR  
DURING THE BIENNIUM  
2023-2025**



**JUDGE ROGER L. CRITTENDEN (RET.), CHAIR, 2020-2024**

After three years of service in the U.S. Army including a tour in Vietnam, Judge Crittenden graduated with the Class of 1975 from the University of Kentucky, College of Law, and launched his career in public service at the Kentucky Cabinet for Human Resources and the Kentucky Council on Higher Education. In 1980, he was elected as Franklin County District Court Judge where he served for 12 years before being elected as Franklin County Circuit Court Judge in 1992. He retired in 2006 and is Senior Judge of the Franklin Circuit Court. Committed to education, Judge Crittenden has served as chair of the Circuit Judges Association Education Committee and is a former board chair of PUSH Infant Pre-School.

Judge Crittenden was appointed to the Ethics Commission by Governor Andy Beshear on May 27, 2020. He was elected as Chair of the Ethics Commission on July 14, 2020, and served until June 13, 2024.



**SEN. DAVID K. KAREM (RET.), CHAIR, 2024-2025  
VICE CHAIR, 2023-2024**

Sen. David Karem of Louisville has been a champion of public education for more than 40 years while serving in the Kentucky General Assembly and the Kentucky Board of Education. Karem served two terms on the Kentucky Board of Education from 2009 to 2016 and as chairman from 2010 to 2013. The David Karem Award, later renamed the Karem Award for Excellence in Education Policy, was established in 2017 by the Kentucky Board of Education in his honor to recognize state policymakers, education leaders or citizens who have made notable, state-level contributions to the improvement of Kentucky's public education system. The award was first presented in 2017.

Karem served in the Kentucky House of Representatives from 1972 to 1976 and represented the 35th District in the Kentucky Senate from 1976 to 2004. He was the Senate's majority floor leader from 1993 to 1999, and he was on the education committees in the House and Senate for 32 and a half of his 33 years in public office. During his time in the legislature, Karem was a driving force behind the passage of the Kentucky Education Reform Act in 1990 and the Postsecondary Education Reform Act in 1997 and led the effort for a 4% school tax levy by districts.

Karem served for 33 years as president of Louisville's Waterfront Development Corporation, which has worked to develop and maintain the city's Waterfront Park. He began a one-year term as director emeritus upon his retirement in July 2019. He also was a member of the Louisville Downtown Development Corporation's board of directors from 2006 to 2018.

Karem holds a bachelor's degree in design from the University of Cincinnati College of Design, Architecture, and Art and a doctorate in law from the University of Louisville. He is a graduate of St. Xavier High School in Louisville.

Governor Andy Beshear appointed Karem to the Ethics Commission on May 27, 2020, and reappointed Karem to a second four-year term, which expires May 27, 2028. Karem was elected Vice Chair of the Ethics Commission on July 14, 2020, and Chair of the Ethics Commission on July 11, 2024.





**CRIT LUALLEN, VICE CHAIR, 2024-2025**  
**MEMBER, 2023-2024**

Former Lieutenant Governor Crit Luallen is known as one of Kentucky's most experienced and respected public leaders, after serving with seven Governors and being elected twice to statewide office. In 2019, the University of Kentucky Martin School of Public Policy and Administration acknowledged her as a Trailblazer in Public Policy. Governor Steve Beshear appointed Luallen as Kentucky's 56th Lieutenant Governor in 2014. As Lt. Governor, she chaired KyHealthNow, an initiative to develop strategies and track progress toward a healthier Kentucky.

Luallen was elected the state's Auditor of Public Accounts in 2003 and re-elected in 2007. Prior to that, she served nearly seven years as Secretary of the Governor's Executive Cabinet, the highest appointed position in Kentucky state government. Previous appointments include State Budget Director, Secretary of the Finance Cabinet, Secretary of the Tourism, Arts & Heritage Cabinet, and Commissioner of the Department of the Arts. As Commissioner of the Arts, Luallen helped found the Kentucky Governor's School for the Arts. She also served as Senior Vice President and then President of the Greater Louisville Economic Development Partnership, a regional economic development agency. In 2009, she was named Public Official of the Year by the Washington, D.C.-based magazine *Governing* for her positive impact on government in Kentucky.

Luallen is a native of Frankfort, a graduate of Centre College, where she serves on the Board of Trustees, and is married to Lynn Luallen.

Governor Andy Beshear appointed Luallen to the Ethics Commission on May 27, 2020. Luallen was elected Vice-Chair of the Commission on July 11, 2024.

## **COMMISSION MEMBERS DURING THE BIENNIUM 2023-2025**

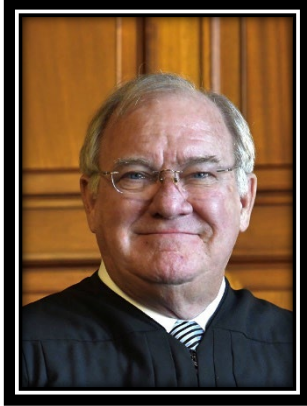


### **DAVID S. SAMFORD, MEMBER**

David S. Samford is the General Counsel for the East Kentucky Power Cooperative in Winchester, Kentucky. David was a partner in the law firm Goss Samford, PLLC in Lexington, Kentucky and he previously served as a Special Advisor to Governor Ernie Fletcher; Executive Director of the Office of Legal Services within the Kentucky Transportation Cabinet; General Counsel, Senior Policy Advisor and Deputy Executive Director of the Kentucky Public Service Commission; and as a Special Justice of the Kentucky Supreme Court. David has previously been appointed to the Kentucky Registry of Election Finance on two prior occasions and served as a Director of the Bluegrass Community and Technical College. David also served as a law clerk to the Chief Judge of the United States District Court for the Eastern District of Kentucky and on the Leadership Staff of the Kentucky State Senate.

Governor Andy Beshear appointed Mr. Samford to the Ethics Commission on June 23, 2020, to a one-year term from a list of nominees submitted by the Auditor of Public Accounts. David was reappointed by Governor Andy Beshear for a second term of four years.





## **JUSTICE DANIEL J. VENTERS (RET.), MEMBER**

Justice Daniel J. Venters retired from the Supreme Court of Kentucky in January 2019, having served ten and a half years on the Court and authoring nearly 200 published opinions and hundreds of unpublished opinions. His judicial career spanned more than 35 years on the trial and appellate court benches of Kentucky.

Justice Venters entered the practice of law in 1975 in Somerset, Kentucky, where he served as a part-time Assistant Commonwealth's Attorney under then-Commonwealth's Attorney, now Congressman Hal Rogers. He practiced with the Somerset law firm of Rogers & Venters until January of 1979, when he became a District Court Judge for Pulaski and Rockcastle Counties. Elected to the circuit court bench in 1983, Justice Venters served as Chief Circuit Court Judge for 28<sup>th</sup> Judicial Circuit (Pulaski, Rockcastle, and Lincoln Counties) from January 1984 until June 2003, when he returned to the practice of law in Somerset.

Justice Venters is a 1975 graduate of the University of Kentucky College of Law and a 1972 graduate of The Ohio State University, where he majored in economics. He is admitted to practice before the United States Supreme Court and the U.S. District Courts for Eastern and Western Kentucky. He has served as a member of Kentucky Board of Bar Examiners, a member of the Kentucky Bar Association Board of Governors, a trustee of the Judicial Form Retirement System, and a member of the AppalReD Legal Aid Board of Directors.

Justice Venters was born in 1950 in Charleston, West Virginia. He is married to Circuit Court/Family Judge, Jane Adams Venters. The Venters' have five children and thirteen grandchildren.

Governor Andy Beshear appointed Justice Venters to the Ethics Commission on June 15, 2020, to a two-year term from a list of nominees submitted by the Attorney General. Justice Venters was reappointed by Governor Andy Beshear to a four-year term that will expire May 27, 2026.



## **RICHARD H. CAMPBELL, JR., MEMBER**

An attorney for more than 40 years, Richard H. Campbell, Jr., engaged in private practice in Danville for 12 years, while also serving as Assistant Boyle County Attorney, Domestic Relations Commissioner and then Master Commissioner for the 50th Judicial Circuit, and Commissioner/Hearing Officer for the Department of Workers Claims. In 1988, he was appointed as an Administrative Law Judge with that Department, a position he held for 14 years. After returning to private practice in 2002, he successfully sought election as the Boyle County Attorney and subsequently served as such for 14 years.

Campbell, a Maryland native, is a graduate of Centre College and the University of Kentucky College of Law. He is married to Joy Burress Campbell. They have three children and five grandchildren.

Richard Campbell was appointed to the Commission by Governor Andy Beshear on June 13, 2024, to replace Judge Rodger Crittenden whose term expired May 27, 2024. Campbell will serve a four-year term expiring May 27, 2028.

## CURRENT COMMISSION STAFF

The Ethics Commission employs a full-time staff who may be contacted by anyone seeking information or advice relating to the Code of Ethics or wishing to provide information regarding an alleged violation of the Executive Branch Code of Ethics. The staff provides state employees, executive agency lobbyists, and the public with information, guidance, and training aimed at promoting ethical conduct of executive branch employees.

### **EXECUTIVE DIRECTOR**

The Executive Director is responsible for all administrative, investigative, and enforcement activity of the Ethics Commission, education and training of public servants, audits of disclosure statements, development of all publications, as well as the supervision of the staff.

The Executive Director oversees the daily operation of the Ethics Commission:

Directs, plans, and oversees all administrative, legal, investigative, lobbyist registration, and financial disclosure functions and statutory requirements of the Ethics Commission.

Sets up, prepares, and conducts ethics training classes for state agencies and/or lobbyist organizations to educate executive branch employees and/or lobbyists on their responsibilities under the Executive Branch Code of Ethics. Prepares training materials.

Provides daily advice in response to questions by state employees, executive agency lobbyists, and the public via telephone, e-mail, and face-to-face communications. Prepares informal opinions.

Drafts staff notes and supervises production and assembly of meeting agenda and meeting packet for bi-monthly commission meetings.


Drafts advisory opinions, letters, biennial reports, educational materials, articles for professional and state newsletters, proposed legislation, proposed administrative regulations, indexes, and other required materials.

Prepares and monitors the Ethics Commission's biennial budget, records retention requirements, inventory process, website information, and various other administrative functions.

### **SUSAN STOKLEY CLARY**

**(APRIL 16, 2022 - PRESENT)**



<p><b><u>GENERAL COUNSEL</u></b></p> <p>The General Counsel advises the Executive Director on legal issues, coordinates investigations, handles administrative proceedings and civil litigation, and, in the absence of the Executive Director, assumes the Executive Director's responsibilities.</p> <p>The General Counsel of the Ethics Commission serves as legal counsel to the agency. Some of the duties required of the General Counsel are:</p> <ul style="list-style-type: none"> <li>Oversees investigations, adjudications, and the resolution of alleged violations of the Ethics Code, including serving in a prosecutorial role during administrative hearings;</li> <li>Makes court appearances and drafts briefs related to administrative proceedings and otherwise defends the final orders of the Ethics Commission;</li> <li>Responds to various types of inquiries concerning the application of the Ethics Code;</li> <li>Assists with drafting administrative regulations and legislative proposals and may represent the Ethics Commission at legislative meetings; and</li> <li>Provides guidance to the Executive Director and the Ethics Commission.</li> </ul>	<p><b>SUCHETA MEENA MOHANTY</b> (JANUARY 16, 2019 – PRESENT)</p> 
<p><b><u>DEPUTY GENERAL COUNSEL</u></b></p> <p>The Deputy General Counsel serves as an advisor to the Executive Director and General Counsel and works as an investigator.</p> <p>Some of the duties required of the Deputy General Counsel include:</p> <ul style="list-style-type: none"> <li>Investigates alleged violations of the Ethics Code, including serving in a prosecutorial role during administrative hearings that are not handled by the General Counsel;</li> <li>Makes court appearances and drafts briefs related to administrative proceedings and otherwise defends the final orders of the Ethics Commission;</li> <li>Responds to various types of inquiries concerning the application of the Ethics Code; and</li> <li>Provides guidance to the Executive Director and the Ethics Commission.</li> </ul>	<p><b>JESSICA MORGAN ROBLES</b> (FEBRUARY 16, 2025 – PRESENT)</p>

**INVESTIGATOR**

The Investigator position is part-time and is held by an individual with law enforcement experience.

The Investigator is responsible for conducting preliminary confidential investigations initiated by the Ethics Commission. The Investigator arranges and conducts interviews of the subjects of the investigations and all potential witnesses related to the investigation. The Investigator ensures that the Ethics Commission's preliminary investigations remain confidential pursuant to KRS 11A.080(2). The Investigator is responsible for serving or arranging the service of subpoenas issued by the Ethics Commission. The Investigator collects and reviews all evidence and data related to the investigation. Finally, the Investigator provides reports to the Ethics Commission recounting the results of those investigations.

Furthermore, the Investigator assists in the collection of delinquent Statements of Financial Disclosure and Executive Agency Lobbyist filing forms.

**Executive Assistant/Paralegal** acts as Clerk of the Administrative Proceedings process by maintaining legal records related to the Ethics Commission. The Executive Assistant serves as Secretary for Commission meetings, which includes preparation of the agenda, the Minutes following the meetings, and correspondence relative to the actions of the Ethics Commission. The Executive Assistant helps process personnel matters for the Ethics Commission staff and its members. The Executive Assistant helps with the training component of the Ethics Commission by maintaining the training participant database.

The Paralegal assists the investigative staff with various duties including researching, analyzing, and drafting legal documents, case investigation, file maintenance and reports, litigation preparation, memoranda on various research topics, data compilation and auditing of filings and general office support.

**BELLA WELLS**




**(JUNE 1, 2018 – PRESENT)**



**L. ADRIENNE WILLIS**

**(SEPTEMBER 16, 2022-PRESENT)**



<p><b><u>Administrative Assistant/Lobbyist Coordinator</u></b> oversees the registration and compliance reporting for executive agency lobbying which includes maintaining the database for executive agency lobbyists and their employers. Other duties include purchases and billing for the agency, serving as records retention liaison, updating the agency's website, and responding to both open records requests and general inquiries regarding the Ethics Commission and its work.</p>	<p><b>JENNY MAY</b> (OCTOBER 16, 1994 - PRESENT)</p> 
<p><b><u>Administrative Assistant/SFD Coordinator</u></b> is a part-time position that administers the Statement of Financial Disclosure filing process and related database for constitutional officers and other government officials. This position also assists the Executive Director, the Executive Assistant, and the Administrative Assistant as needed.</p>	<p><b>NELLIE RAMSEY</b> (MAY 16, 2021 - PRESENT)</p> 
<p><b><u>Administrative Assistant</u></b> is a part-time position that assists the Executive Director and legal staff with duties relating to the functions of the Ethics Commission.</p>	<p><b>GINA HILL</b> (November 1, 2023-present)</p> 
<p><b><u>Law Clerk</u></b> is an interim position that assists the Executive Director and legal staff with various duties relating to the functions of the Ethics Commission, including assisting with trial preparation for administrative hearings, compiling filing data, participating in investigative matters, and drafting memoranda, pleadings, and briefs regarding various research topics and cases.</p>	<p><b>CAROLINE SHACKLETON</b> (MAY 16, 2025-PRESENT)</p>

## **ETHICS OFFICERS**

The Ethics Commission requests that all agencies designate an employee within the agency to serve as the agency Ethics Officer. This person should be accessible to employees in the agency, be willing to answer questions that can oftentimes be cumbersome, be willing to seek the counsel of the Ethics Commission staff and be willing to report conduct that could possibly violate the Ethics Code.

Ethics Officers assist the Ethics Commission in the following areas to ensure proper enforcement of the Ethics Code:

Disseminate information from the Ethics Commission to employees in each agency.

Serve as a resource for employees seeking ethics advice.

Ensure that newly hired employees receive ethics training.

Assist agency appointing authority with requests for outside employment and ensure that the appointing authority reports quarterly to the Ethics Commission.

Assist public servants with determining how to handle gifts.

Monitor the filing of Statements of Financial Disclosure by officers; and

Assist the Ethics Commission staff with possible investigations.

**THE GOVERNOR BRERETON C. JONES  
OUTSTANDING ETHICS OFFICER AWARD**

*THE GOVERNOR BRERETON C. JONES  
OUTSTANDING ETHICS OFFICER AWARD*

*IS PRESENTED TO*

*ROSEMARY G. HOLBROOK  
GENERAL COUNSEL AND EXECUTIVE  
DIRECTOR OF LEGAL SERVICES  
KY. PERSONNEL CABINET*





The Executive Branch Ethics Commission presented, Rosemary G. Holbrook, General Counsel and Executive Director of Legal Services, Kentucky Personnel Cabinet, with the Governor Brereton C. Jones Outstanding Ethics Officer Award for 2024. In honor of Governor Brereton C. Jones and the role he played in establishing the Executive Branch Ethics Code and the establishment of this Commission, the Commission renamed its annual award the “Governor Brereton C. Jones Outstanding Ethics Officer Award.” In 1992, it was Governor Jones’ vision and leadership that first established an Ethics Code for the Executive Branch of the Commonwealth of Kentucky. He then worked with the legislature to draft and enact legislation that codified the Ethics Code and established an independent ethics commission, the Executive Branch Ethics Commission. Ethical requirements were placed upon state workers and a truly independent body was set up and funded to enforce those requirements—a truly positive step forward for the Commonwealth. The annual Outstanding Ethics Officer Award program was established in 2015 to recognize an individual serving as a designated Ethics Officer for an executive branch agency for his or her outstanding achievement and contributions in promoting the ethical conduct of executive branch employees.

Rosemary Holbrook was awarded for her efforts to enforce the Executive Branch Code of Ethics while serving as a designated Ethics Officer and to implement policies and procedures for the effective enforcement of the Ethics Code.

Mrs. Holbrook currently serves as General Counsel, Ethics Officer, and Executive Director of the Office of Legal Services for the Personnel Cabinet. She is an attorney licensed by the Kentucky Bar Association and a CPA licensed by the Kentucky Board of Accountancy. Prior to her time in state government, she served six years of active duty in the United States Air Force as a JAG attorney, serving both in the United States and in Baghdad, Iraq as a member of Task Force 134 which oversaw conduct of detainee operations. Her career as a Kentucky public servant began as an Assistant County Attorney in Fayette County and as a staff attorney for the Education and Workforce Development Cabinet, before she joined the Personnel Cabinet's Office of Legal Services.

Rosemary Holbrook was nominated for the 2024 Governor Brereton C. Jones Outstanding Ethics Officer award by the Secretary of the Personnel Cabinet, Mary Elizabeth Bailey, who described Ms. Holbrook's service to the Personnel Cabinet and the Commonwealth as follows:

"As Secretary of the Kentucky Personnel Cabinet, I understand that, as public servants, we work for the benefit of the people of this Commonwealth, and in doing so, we must conduct ourselves in an ethical manner so that the people of this Commonwealth have trust and confidence in the integrity of government operations. I can think of no one that upholds these high standards more than Rosemary Holbrook; therefore, I would like to nominate her for consideration for the 2024 Outstanding Ethics Officer Award. As the Ethics Officer for the Kentucky Personnel Cabinet, Rosemary Holbrook ensures the Cabinet complies with all provisions of the Executive Branch Code of Ethics. She often advises Cabinet leadership and employees on the interpretation of the code, potential conflicts of interest and seeks clarification and guidance from the Executive Branch Ethics Commission staff when needed.

In her role as General Counsel, she serves as chief legal counsel on the interpretation of KRS Chapter 18A. She provides daily guidance to attorneys and human resource executives across the executive branch. This is imperative in order to ensure that each agency has a clear and comprehensive understanding of Chapter 18A and how it applies to all personnel actions and employee situations within their agency. This year, she has continued to work tirelessly to educate human resources executives on the recent modernization of KRS Chapter 18A, passed by the General Assembly, and she prioritizes her availability to provide legal guidance to state agencies on all employment matters.

In just the 2023-2024 fiscal year alone, the Office of Legal Services reviewed 2,559 personnel actions for legal sufficiency, consulted with executive branch human resources and legal staff on 810 personnel issues, and responded to 734 investigative requests regarding state employment. This is in addition to other responsibilities of her office, including open records requests, background checks, prelitigation settlement agreements, and much more.

Simply put, Mrs. Holbrook plays a vital role in keeping the executive branch compliant with employment laws and regulations, and I cannot overstate her value to both the Kentucky Personnel Cabinet and to the executive branch.

Because of her efforts in maintaining the highest standards of ethical and legal conduct throughout state government, I believe that she would be a most deserving recipient of this year's Outstanding Ethics Officer Award."

Rosemary attended high school in Matewan, West Virginia, where she graduated as Valedictorian before obtaining a bachelor's degree in accounting from the University of Pikeville. Not only excelling in her academic pursuits, Rose was also captain of the women's basketball team, a two-time collegiate academic All-American, and she led her team to the school's first appearance at the national tournament after winning the Kentucky Intercollegiate Athletic Conference championship. She received her law degree from the University of Louisville and her Master of Science in Accounting from Marshall University. She is married to Tim Holbrook, the Chief Human Resources Officer for the Legislative Research Commission, and they reside in Versailles, Kentucky.

# BUDGET

## TWO-YEAR BUDGET ANALYSIS

The Ethics Commission's budget and expenditures for fiscal years 2023-24 and 2024-25 in detail below.

	<u>FISCAL YEAR</u>		<u>TOTAL FOR</u>
	<u>2023-2024</u>	<u>2024-2025</u>	<u>BIENNIUM</u>
<b>ENACTED BUDGET</b>			
General Fund	\$599,100	\$681,900	\$1,281,000
Agency Generated Funds	\$420,000	\$525,900	\$945,900
<b>TOTAL</b>	<b>\$1,019,100</b>	<b>\$1,207,800</b>	<b>\$2,226,900</b>
<b>EXPENDITURES</b>			
Personnel Costs	\$863,935	\$919,490	\$1,783,325
Operating Expenses	\$100,550	\$261,885	\$362,435
Grants, Loans & Benefits	0	0	0
Capital Outlay	0	0	0
<b>TOTAL</b>	<b>\$964,485</b>	<b>\$1,181,375</b>	<b>\$2,155,850</b>
<b>AGENCY GENERATED REVENUES</b>			
Agency Funds Balance Forward from Previous FY	\$194,355	\$165,688	\$360,043
Agency Revenues from Fees & Penalties	\$361,594	\$511,044	\$872,638
<b>TOTAL</b>	<b>\$555,949</b>	<b>\$676,732</b>	<b>\$1,232,681</b>

<b>ADMINISTRATIVE HEARING EXPENSES*</b>	<b>2023-24</b>	<b>2024-25</b>	<b>TOTAL</b>
<b>PENALTIES COLLECTED**</b>	\$67,294	\$116,544	\$183,838
<b>BALANCE FORWARD</b>	\$107,592	\$32,272	\$139,864
<b>ADMINISTRATIVE HEARINGS COSTS</b>	\$26,220	\$1,200	\$27,420
<b>REMAINDER</b>	<b>\$148,666</b>	<b>\$147,616</b>	<b>\$295,282</b>

\*Administrative Hearing Expenses added to report starting with the 2016-2017 Fiscal Year.

\*\* Beginning in 2016-2017 Fiscal Year, the Budget Bill allowed the Ethics Commission to deposit the fines collected in the Ethics Commission's Restricted Fund account to fund administrative hearings.

<b>REVENUE FROM LOBBYING ACTIVITIES</b>			<b>TOTALS</b>
	<b>2023-2024</b>	<b>2024-2025</b>	<b>All Years</b>
<b>*REGISTRATION FEES (AGENCY FUND REVENUE)</b>	\$342,000	\$394,500	\$736,500
<b>LOBBYISTS FINES</b>	\$0	\$0	\$0
<b>TOTAL COLLECTED</b>	<b>\$342,000</b>	<b>\$394,500</b>	<b>\$736,500</b>

\*Legislature authorized EBEC to raise fees to pay for a new electronic lobbyist registration system.

## **EDUCATION**

The Ethics Commission continues to believe that one of its primary goals is to educate employees to improve honesty and integrity in the Executive Branch. Through education, the Ethics Commission seeks to prevent, rather than punish, ethics violations. Employee education is a multi-faceted effort consisting of responses to inquiries, live and on-line training classes, online resources, agency designated ethics officers, publications, and newsletter articles.

## **INQUIRIES**

The Ethics Commission considers and responds to all inquiries from persons requesting information or advice on any aspect of the Code of Ethics. Such inquiries are made in person, by mail, through e-mail, or by telephone. The Executive Director and commission staff resolve most of these requests after reviewing the statutes and advisory opinions. The Executive Director provides informal and formal opinions, which are reviewed by the Commission.

The staff of the Ethics Commission meets individually with state officials, employees, and lobbyists to provide information or explanation concerning the Code of Ethics. The staff also provides guidance by telephone and e-mail daily in response to state official, employee, and citizen inquiries. During each of the fiscal years, 2023-2024 and 2024-2025, the staff answered over 2000 inquiries.

## **TRAINING**

The Executive Branch Ethics Commission (EBEC) provides ethics training to all newly hired executive branch employees and annual updates to all executive branch employees through the Kentucky Human Resource Information System (KHRIS). Additionally, EBEC provides ethics classes to individual state agencies, executive agency lobbyists, ethics officers, government attorneys, members of executive branch regulatory and policy-making boards and commissions, and the public upon request. In person and online training courses are offered. Training materials are also available on the EBEC website and through the KHRIS website.

## ETHICS TRAINING CLASSES

### CALENDAR YEAR 2023

<u>CLASS DATE</u>	<u>NO. OF ATTENDEES</u>	<u>AGENCY</u>
9.7.2023 (6-8:00 p.m., Zoom)	22	University of Kentucky Martin School of Public Policy and Administration
9.18.2023 (2:30-3:00 p.m., Live)	28	Kentucky Educational Television
11.3.2023 (1:30-2:30 p.m., Live)	48	Kentucky Paralegal Association
11.8.2023 (9:00-10:00 a.m., Zoom)	121	Kentucky Auditor of Public Accounts (Govt. Auditors)
11.21.2023 (1:30-2:30 p.m., Zoom)	5	Kentucky Racing Commission
Online-New Employee Training	6896	KHRIS
<b>TOTAL</b>	<b>7,120</b>	

### CALENDAR YEAR 2024

<u>CLASS DATE</u>	<u>NO. OF ATTENDEES</u>	<u>AGENCY</u>
2.15.2024 (10:00 -11:00 a.m.)	4	Department of Workplace Standards Education and Labor Cabinet
2.20.2024 (11:00 a.m.-Noon)	25	Women's Employee Resource, Group-Commonwealth of Kentucky Personnel Cabinet
3.6.2024 (10:00 -11:00 a.m.)	69	Public Service Commission
4.8.2024 (9:00 - 9:30 a.m.)	36	Kentucky Board of Cosmetology
5.15.2024 (Online for all Executive Branch employees)	26,232	Mandatory Ethics Training
5.24.2024 (10:00 -11:00 a.m.)	90	Kentucky Association of Administrative Adjudicators
6.21.2024 (2:00 -2:30 p.m.)	8	Ky. Department of Fish and Wildlife
8.7.2024 (1:00 -2:00 p.m.)	36	BSSC
9.12.2024 (6:00 -8:00 p.m.)	21	Leadership and Ethics

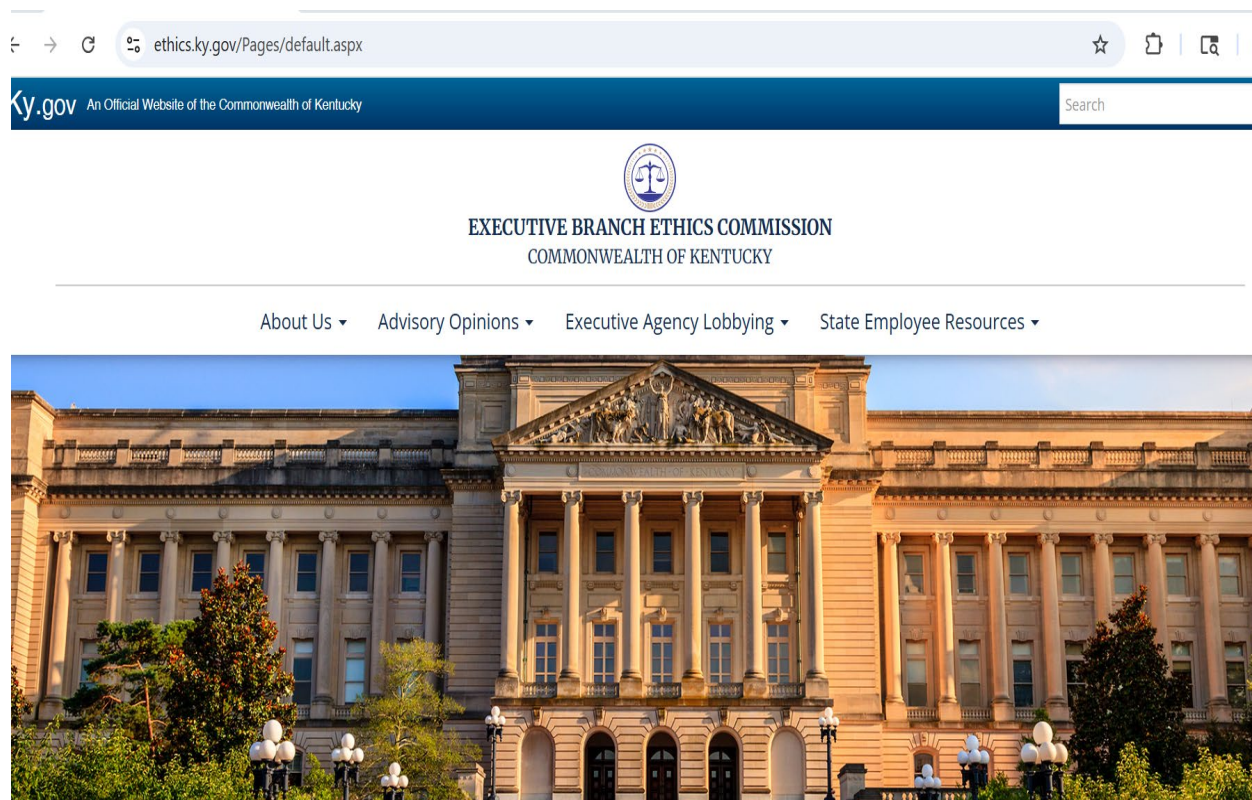
		Martin School- UK
10.7.2024 (10:00 – 11:00 a.m.)	17	Kentucky Department of Education
10.9.2024 (10:00 -11:00 a.m.)	37	Kentucky Housing Corporation
10.16.2024 (10:00 -11:00 a.m.)	24	Kentucky Housing Corporation
11.20.2024 (10:00 -11:00 a.m.)	124	Kentucky Auditor's Office
Online-New Employee Training	4379	
<b>TOTAL</b>	31,102	

### **CALENDAR YEAR 2025**

<b><u>CLASS DATE</u></b>	<b><u>NO. OF ATTENDEES</u></b>	<b><u>AGENCY</u></b>
2.27.2025 (10:00 -11:00 a.m.)	12	Kentucky Housing Corporation
2.28.2025 (11:30 a.m.-12:00 p.m.)	20	Kentucky Commission on Women
3.12.2025 (3:00 - 4:00 p.m.)	33	Justice and Public Safety Cabinet
3.19.2025 (11:00 a.m.-Noon)	37	Kentucky Association of Administrative Adjudicators
4.15.2025 (9:00-10:00 a.m.)	3	Ky Department of Fish and Wildlife
4.30.2025 (10:00-Noon)	13	Kentucky Employee Mediators Program
5.21.2025	12	Kentucky Housing Corporation
6.13.2025	94	Kentucky Association of Administrative Adjudicators
9.10.2025	4	Kentucky Housing Corporation
9.11.2025	25	Leadership and Ethics Martin School-UK
9.24.25	25	Governor's Emerging Leaders Program
10.21.2025	15	Governor's Leadership Program
10.30.2025	3974	Online Training for New Hires
<b>TOTAL</b>	<b>4,267</b>	

## WEBSITE

THE ETHICS COMMISSION's newly updated home page can be found at <https://ethics.ky.gov>. The website provides information on Commission members and staff, advisory opinions, executive agency lobbying, training, post-employment laws, ethics officers, financial disclosure, and administrative actions. Publications produced by the Ethics Commission are available to the public from the website including the new *Quick Guide to the Executive Branch Code of Ethics*, as well as the text of the Executive Branch Code of Ethics, KRS Chapter 11A, Title 9 of the Administrative Regulations, and Executive Orders 2008-454 and 2009-882 and 2020-423.



In 2022, the Ethics Commission voted to pursue Legacy funding to comply with the requirements of KRS 11A.241 to computerize information relating to lobbyist registration statements. Unlike its current outdated system, this new system will allow for online submission and access to executive agency lobbying registration documents. The Legacy grant funding portion of the project was approved, and the Legislature authorized the Commission to raise registration fees to cover the annual licensing costs for the lobbyists' online filing system. The new system will be available for public use in February 2026.



## PUBLICATIONS

As part of the Ethics Commission’s educational emphasis, publications explaining the various components of the Code of Ethics have been produced and are regularly updated. These items are available on the Commission’s website <https://ethics.ky.gov>.

PUBLICATION	LATEST DATE OF PUBLICATION/REVISION
<i>Acceptance of Gifts (brochure)</i>	<i>July 2022</i>
<i>Post-Employment (brochure)</i>	<i>October 2025</i>
<i>Political Activities (Brochure)</i>	<i>September 2023</i>
<i>Advisory Opinions (1992 – 2017) (also bound by year)</i>	<i>May 2017</i>
<i>Executive Branch Ethics Commission (brochure)</i>	<i>May 2025</i>
<i>Guide to the Executive Branch Code of Ethics (booklet)</i>	<i>September 2023</i>
<i>Ethical Guidelines for Members of Boards &amp; Commissions (brochure)</i>	<i>July 2022</i>
<i>Ethics Officer Training Guide</i>	<i>March 2025</i>
<i>Executive Agency Lobbying Handbook</i>	<i>November 2024</i>
<i>Biennial Reports</i>	<i>Updated every 2 years</i>
<i>EBEC-A Quick Reference for the Public</i>	<i>May 2025</i>

## ADVISORY OPINIONS

The Executive Branch Ethics Commission is authorized to interpret the provisions in KRS Chapter 11A and to issue advisory opinions. If an employee, agency head, or member of the public is unclear about a provision in the code of ethics, or if a situation is not specifically addressed in the code, a staff opinion or formal advisory opinion may be requested, in writing, from the Ethics Commission.

**STAFF OPINIONS:** Many questions can be answered informally through a verbal or written staff opinion from the Ethics Commission Staff. Staff opinions are advice given by the staff of the Ethics Commission based on a review of past advisory opinions. If the issue is unique, a formal advisory opinion may be required. If the Ethics Commission determines that the matter has been addressed in a previous advisory opinion, it will issue advice through a staff opinion or informal reply. Informal replies are responses (advisory letter, e-mail, or telephone call) rendered by the Ethics Commission's Executive Director. Frequently, employees may have questions or situations that require a swift reply. An advisory letter is limited to issues previously addressed by the Ethics Commission by issuance of a formal advisory opinion or easily answered by a review of the statutes and Administrative Regulations. The Ethics Commission reviews the advice of its staff at its regular meetings during open meetings unless the advice is related to an investigation pursuant to KRS 11A.080.

**ADVISORY OPINIONS:** Formal advisory opinions are issued by the Ethics Commission at its regularly scheduled meetings. Opinions can be issued under the following authority:

Conflict of Interest Opinions, pursuant to KRS 11A.030(5).

Gift Exception Opinions, pursuant to KRS 11A.045(1). Agencies and public servants may request an exception from the application of the gift's prohibition under circumstances in which it would not create an "appearance of impropriety".

Additional Compensation Exemption Opinions, pursuant to KRS 11A.040(5). The Ethics Commission has granted exemptions to the additional compensation rule in instances when agencies would like to offer a form of economic incentive for employees who go above and beyond their job duties:

Department of Fish & Wildlife Resources – Advisory Opinion 15-01

Department of Veterans Affairs – Advisory Opinion 17-08

Tourism, Arts & Heritage Cabinet – Advisory Opinion 19-03

Department for Criminal Justice Training – Advisory Opinion 19-04

Department of Corrections – Advisory Opinion 20-01

Commonwealth Office of Technology – Advisory Opinion 21-01

Jenny Wiley State Park-Advisory Opinion 23-01

General Advisory Opinions, KRS 11A.110(1).

To request a formal Advisory Opinion, the Ethics Commission must receive a written request for an advisory opinion at least two weeks prior to a scheduled meeting for the request to appear on the agenda for the following meeting. Advisory opinions are the highest level of guidance available from the Ethics Commission regarding the requirements of the Executive Branch Code of Ethics.

If the Ethics Commission determines that the matter has not been addressed in a previous advisory opinion, it will issue a new opinion to the requestor. In addition, the Ethics Commission may issue advisory opinions upon its own motion. Advisory opinions issued by the Ethics Commission are based on the Code of Ethics, agency regulations, and past Commission decisions. Because the Executive Branch Ethics Commission is the regulatory body authorized to interpret the Code of Ethics, the formal advisory opinions issued by the Ethics Commission are enforceable. Such opinions are public

record and provide guidance to other employees with similar questions. Copies of formal advisory opinions are distributed electronically to the state agency or public servant that has requested the opinion. Advisory opinions are also available to the public on the Ethics Commission's website <http://ethics.ky.gov/>. The Ethics Commission provides a searchable database of its opinions on its website.

## ADVISORY OPINIONS AND ADVISORY LETTERS

The Ethics Commission issued both published formal advisory opinions and over one hundred advisory letters in each fiscal year of the biennium. Following are the summaries of the formal advisory opinions issued:

**Advisory Opinion 24-01** A husband's employment through a Memorandum of Agreement with the agency where his spouse is employed does not create a conflict of interest as the wife was not involved in the hiring process and will not supervise her spouse. Categories: [Conflicts of Interest](#).

**Advisory Opinion 24-02** Ad hoc members of the Kentucky State Board on Electric Generation and Transmission Siting are not subject to the requirements of KRS Chapter 11A as they do not fall within the definition of an "officer" or of a "public servant" as defined in KRS 11A.010. Categories: [Jurisdiction](#).

**Advisory Opinion 24-03** While the Prosecutor's Advisory Council has adopted a code of ethics for the unified prosecutorial system, such does not modify the obligations of Commonwealth's Attorneys and their staff under KRS 11A. The provisions of the Executive Branch Code of Ethics contained in KRS Chapter 11A, including the requirement of filing a Statement of Financial Disclosure, pursuant to KRS 11A.050, are applicable to Commonwealth's Attorneys. Categories: [Jurisdiction](#).

**Advisory Opinion 24-04** KRS 11A.040 prohibits a former Division Director of the Division of Water for the Commonwealth of Kentucky from taking a job with a consulting firm with which he approved ongoing state contracts and projects. DECISION QUALIFIED: For one year from the termination of state service, KRS 11A.040(6) prohibits officers, or public servants listed in KRS 11A.010(9)(a) to (g), from "enjoying" the benefits of any contract awarded by their agency to a consulting firm with which they are seeking employment. Further, KRS 11A.040(7) prohibits officers, or public servants listed in KRS 11A.010(9)(a) to (g), from accepting employment, compensation, or other economic benefit from any person or business that contracts or does business with, or is regulated by, the state in matters the officer was directly involved in during the last 36 months of their state service. However, KRS 11A.040(7) also contains a limited exception for an individual to return to the same business, firm,

occupation, or profession they held prior to state service, or for which they had received a professional degree or license prior to state service.

Categories: [Conflicts of Interest](#), [Post Employment](#).

**Advisory Opinion 24-05** Because KRS 11A.040 (4) prohibits public servants from entering into contracts awarded by the agency by which they are employed, employees of the Kentucky Department of Agriculture may not be beneficiaries of low-interest rate loans offered by the Kentucky Agricultural Finance Corporation ("KAFC"), an entity that is administratively attached to the Kentucky Department of Agriculture.

Categories: [Conflicts of Interest](#).

Overruled by Legislation

**Advisory Opinion 24-06** The Correctional Farm Manager at Blackburn Correctional Complex is prohibited from personally accepting a monetary award from the Thoroughbred Industry Employee Award Organization for his outstanding work as manager of Blackburn's thoroughbred retirement farm; however, the monetary award may be donated in his honor to the thoroughbred retirement farm operated at Blackburn Correctional Complex.

Categories: [Gifts](#)

**Advisory Opinion 23-01 Gift Exception 2023-01** The Executive Branch Ethics Commission grants a gift exemption pursuant to KRS 11A.040(5) and KRS 11A.045(1) to the Office of the Secretary of the Tourism, Arts, and Heritage Cabinet for the employees of Jenny Wiley State Park to accept a gift from the non-profit "Friends of Jenny Wiley," for their exemplary service during and after the historic flooding in eastern Kentucky.

**Advisory Opinion 23-02** Upon review of the job requirements by the Executive Branch Ethics Commission ("the Commission") for the Department of Juvenile Justice position, "Facilities Regional Administrator", it is determined, by the Commission, that the job specifications indicate that Facilities Regional Administrator is a position considered to be "major management" as that term is used in KRS 11A.010(7) and therefore defined as an "officer".

## **FINANCIAL DISCLOSURE OF ELECTED OFFICIALS AND OFFICERS**

One of the Ethics Commission's principal responsibilities is to administer the financial disclosure provisions of KRS Chapter 11A. State elected officials and appointed officers, as defined by KRS 11A.010(7), in the executive branch of state government are required by statute to file a statement of financial disclosure. Statements of Financial Disclosure must be filed with the Ethics Commission no later than April 15 for the previous calendar year. They must also be filed within 30 days of termination of employment and newly hired or appointed officers must file an initial statement within thirty (30) days of their start date. Candidates for executive branch constitutional offices are required to file a disclosure statement no later than February 15 of an election year. Statements of Financial Disclosure are open to the public for inspection.

For the first time in 2023, members of Transition Teams for Constitutional Officers must also file Statements of Financial Disclosure. The Executive Branch Ethics Commission drafted regulations and forms to facilitate the process for this registration. Prior to the election information about transition team registration was sent to all candidates and it was sent again to the electees following the election. Information regarding transition team registration is also available on the Commission website.

During the 2023-2025 Biennium, filings of Statement of Financial Disclosures were up 3%, while delinquencies were up 1%.

Failure to file a disclosure statement in a timely manner is punishable by withholding of the employee's salary until the statement is filed. The following information is required to be disclosed on the statement:

Name and address, both residential and business;

Title of position or office in state government;

Other occupations of filer or spouse;

Positions held by filer or spouse in any business, partnership, or corporation for profit;

Names and addresses of all businesses in which the filer, spouse, or dependent children had an interest of \$10,000 or 5% ownership interest or more;

Sources of gross income exceeding \$1,000 of the filer or spouse including the nature of the business;

Sources of retainers received by the filer or spouse relating to matters of the state agency for which the filer works or serves in a decision-making capacity;

Any representation or intervention for compensation by the filer or spouse before a state agency for which the filer works or serves in a decision-making capacity.

All positions of a fiduciary nature in a business.

Real property in which the filer, spouse or dependent children has an interest of \$10,000 or more.

Sources of gifts or gratuities with a retail value of more than \$200 to the filer, spouse or dependent children; and

Creditors owed more than \$10,000.

## ELECTRONIC FORMS

The Ethics Commission's website at <https://ethics.ky.gov> has an online portal through which "officers" may complete their annual Statement of Financial Disclosure, with an electronic submission of the form. Officers may also download a blank Statement of Financial Disclosure form from the Ethics Commission's website and complete the blank Statement of Financial Disclosure form electronically, print a paper copy and forward it with an original signature to the Ethics Commission. Paper forms are provided upon request.

## STATEMENTS OF FINANCIAL DISCLOSURE

Statements of Financial Disclosure (SFD) are filed by "officers" as defined by KRS 11A.010(7) in accordance with requirements of KRS 11A.050 and 9 KAR 1:010.

**NEW FORMS:** The Statement of Financial Disclosure can now be submitted on one (1) of four (4) forms depending on the reason for filing.

**NEW HIRES:** Beginning in 2019, Newly hired, appointed, or detailed public servants serving in an officer position shall file an SFD within 30 days of their start date. This does not apply to a current officer who merely transfers into another officer position with no break in service. The form is to be completed by someone who has not served in an officer position in the previous month.

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**NEW HIRE** FORM: EBEC-SFD-103 (Rev. 5/2020)

COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
1025 Capital Centre Drive, Suite 104  
Frankfort, KY 40601  
PHONE: 502-564-7954, FACSIMILE: (502) 696-5091, or EMAIL: [ethicsfiler@ky.gov](mailto:ethicsfiler@ky.gov)

**STATEMENT OF FINANCIAL DISCLOSURE**  
**NEW HIRE FORM**

**NEWLY HIRED OFFICERS:**  
**NEWLY APPOINTED OR ACTING EXECUTIVE BRANCH OFFICERS\* AS DEFINED BY KRS 11A.010(7) SHALL SUBMIT THIS FORM WITHIN 30 DAYS OF THEIR START DATE IN AN OFFICER POSITION. (KRS 11A.050(1)(A)). "Start date" means the first date of employment with a state agency in the executive branch. 9 KAR 1:010, Section 1(13).**

\*CONSTITUTIONAL OFFICERS DO NOT COMPLETE THIS FORM.

"REPORTING PERIOD" means the time from your start date until the date you sign the form. Do not provide information from prior to your start date unless the question specifically instructs you to do so. **ANSWER EVERY QUESTION OR YOUR FORM WILL NOT BE ACCEPTED.**

**CANDIDATES FOR OFFICE FOR POSITIONS LISTED IN KRS 11A.010(9)(a)-(g):** Candidates for Constitutional Office who are not incumbents or currently serving public servants are required to file this form by February 15 in the year in which they are to be on the ballot.

NEWLY ELECTED CONSTITUTIONAL OFFICERS: Within 10 days of taking the oath of office, newly elected constitutional officers (not returning incumbents) must file the ANNUAL SFD for the previous calendar year in which the election was held.

CURRENT OFFICERS FILING ANNUALLY: Officers file annually on or before April 15. The form can be submitted any time between January 1 and April 15. Officers complete the questions with information that applies for the entire previous calendar year during which he or she served in an officer position.

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ANNUAL FORM: EBEC-SFD-101 (Rev. 5/2020)

COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
1025 Capital Centre Drive, Suite 104, Frankfort, KY 40601  
PHONE: 502-564-7954, FACSIMILE: (502) 696-5091, or EMAIL: [ethicsfiler@ky.gov](mailto:ethicsfiler@ky.gov)

STATEMENT OF FINANCIAL DISCLOSURE

**ANNUAL FORM**  
**Calendar Year** \_\_\_\_\_

CONSTITUTIONAL OFFICERS AS DEFINED BY KRS 11A.010(9)(A)-(G) AND OFFICERS AS DEFINED BY KRS 11A.010(7) MUST FILE THIS FORM BETWEEN JANUARY 1 AND APRIL 15 FOR EACH CALENDAR YEAR YOU SERVE IN SUCH POSITION. (KRS 11A.050(1)(A)). OFFICERS AND CONSTITUTIONAL OFFICERS WHO ARE CANDIDATES FOR CONSTITUTIONAL OFFICE MUST FILE THIS FORM BY THE FEBRUARY 15 THAT FALLS AFTER FILING FOR OFFICE.

"REPORTING YEAR" MEANS THE CALENDAR YEAR PRIOR TO THE CURRENT APRIL 15. ANSWER EVERY QUESTION OR YOUR FORM WILL NOT BE ACCEPTED.

LEAVING OFFICERS FILING WHEN THEY SEPARATE: Officers who leave state service, regardless of the reason for departure, must file within thirty (30) days of leaving state service. Former officers will complete the questions with information that applies for the entire current calendar year during which he or she served in an officer position.

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LEAVER FORM: EBEC-SFD-102 (Rev. 5/2020)

COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
1025 Capital Centre Drive, Suite 104, Frankfort, KY 40601  
PHONE: 502-564-7954, FACSIMILE: (502) 696-5091, or EMAIL: [ethicsfiler@ky.gov](mailto:ethicsfiler@ky.gov)

STATEMENT OF FINANCIAL DISCLOSURE

**LEAVER FORM**  
**Calendar Year** \_\_\_\_\_

CONSTITUTIONAL OFFICERS AS DEFINED BY KRS 11A.010(9)(A)-(G) AND OFFICERS AS DEFINED BY KRS 11A.010(7) MUST FILE THIS FORM WITHIN 30 DAYS OF LEAVING STATE SERVICE AS AN OFFICER. (KRS 11A.050(1)(a)).

"REPORTING YEAR" MEANS THE PORTION OF THE CURRENT CALENDAR YEAR IN WHICH YOU SERVED AS AN OFFICER PRIOR TO LEAVING THE OFFICER POSITION. ANSWER EVERY QUESTION OR YOUR FORM WILL NOT BE ACCEPTED.

DELINQUENTS: Delinquent filers may have their salary withheld until the proper form is submitted and may face further penalties under KRS 11A.100(3).

HOW TO DETERMINE “MAJOR MANAGEMENT”: The Ethics Commission can review the job responsibilities and make a determination that the individual public servant is “Major Management” pursuant to KRS 11A.010(7).

ADVISORY OPINION 17-05: When the Ethics Commission reviews the job duties of potential officers, it looks for factors such as the employee has responsibility for managing a division, department or Cabinet, supervises a geographical region, oversees a state facility, coordinates a state program, makes decisions concerning how state funds are spent or dispersed, or makes decisions on setting state policy. The Ethics Commission may also determine that any public servant who is in a position that could require him or her to step into the role of the decision-makers in the event such individual cannot fulfill his or her role, such as an assistant executive director, then that public servant may also be an officer.

### DISCLOSURE FILING STATISTICS

	2023 SFD Filers	2024 SFD Filers	*2025 SFD Filers
<b>Total SFD's Reviewed and Filed</b>	<b>1,700</b>	<b>1,890</b>	<b>289*</b>
Annuals	1,339	1,442	N/A*
Leavers	180	174	105
New Hires	173	274	184
Transition Teams	78		
Delinquent Disclosure Statements	107	102	N/A*
Disclosure Statements Formally Investigated and Discipline Cases Opened	1	1	N/A*

\*Annual forms for 2025 are due April 15, 2026.

### AUDITS

Upon receipt of the Statements of Financial Disclosure, each are reviewed to determine whether it is complete and whether the instructions have been followed. The Ethics Commission is required by statute to audit the Statements to detect information that might suggest a conflict of interest or other impropriety. If such is detected, staff may refer Statements to the Ethics Commission and investigations may be initiated. This is accomplished by staff review of the forms.

### MONTHLY NOTICES

The Ethics Commission has worked with the Personnel Cabinet to initiate a process whereby the Personnel Cabinet notifies the Ethics Commission monthly of officers who have left their positions during the previous month. This enables the Ethics Commission staff to remind the former officers of the 30-day filing requirement for those leaving during the calendar year. This process has proven very helpful in reducing the number of former officers, who file late. Each month, the Personnel Cabinet provides the Ethics Commission with a list of monthly new hires. This process allows the Ethics Commission to contact the newly hired officers and remind them of the 30-day hire filing requirement.



# **INVESTIGATIONS, ADMINISTRATIVE PROCEEDINGS, AND LITIGATION**

## **COMPLAINTS OR INFORMATION (KRS 11A.080(1) AND 9 KAR 1:015)**

The Executive Branch Ethics Commission must investigate an alleged violation of KRS Chapter 11A upon receiving a complaint signed under penalty of perjury. The Ethics Commission may also investigate an alleged violation upon its own motion. The Ethics Commission considers information received by the Ethics Commission staff in person, by telephone, by letter, or through the media. Commission staff will take complaints from anonymous complainants if the alleged conduct is specifically defined. If the information Commission staff receives indicates that a public servant may have violated the Ethics Code, the Ethics Commission will determine whether to initiate a preliminary investigation upon its own motion at its next regularly scheduled meeting.

The complaint, whether under penalty of perjury, informal, or anonymous, remains confidential. All records relating to the Ethics Commission's investigations, unless used as part of an administrative hearing, remain confidential. See 97-ORD-70, 02-ORD-44, 07-ORD-201, 07-ORD-202.

## **PRELIMINARY INVESTIGATIONS (KRS 11A.080(2) AND (3), KRS 11A.070, AND KRS 11A.990)**

Within ten days of the initiation of the preliminary investigation, the Ethics Commission must forward to the alleged violator a copy of the complaint (if applicable) and a general statement of the law violated. Thus, the Ethics Commission will notify a public servant by certified letter if he or she is under investigation.

Unless an alleged violator publicly discloses the existence of the preliminary investigation, the Ethics Commission is required to keep confidential the fact of the preliminary investigation. This confidentiality remains until the Ethics Commission determines probable cause of a violation and initiates an administrative proceeding to determine whether there has been a violation. However, the Ethics Commission may inform a referring state agency of the status of, or any action taken on, an investigative matter referred to the Ethics Commission by the agency. It may also, for investigative purposes, share evidence, at its discretion, with the Auditor of Public Accounts, the Personnel Board, and other agencies with the authority to review, audit, or investigate the conduct. These entities are covered by the confidentiality requirement of KRS 11A.080 when working with the Ethics Commission on a preliminary investigation. 94-ORD-81.

The Ethics Commission has the power to subpoena witnesses and evidence, as well as use the facilities of other agencies in carrying out its investigations. The Ethics Commission views its investigations as fact-finding missions. The Ethics Commission does not desire to bring charges without sufficient evidence. If the Ethics Commission determines that evidence is not sufficient to show probable cause of a violation during the preliminary investigation, the public servant is confidentially informed that the investigation is terminated, and such notification remains confidential. This confidentiality is designed to protect the reputation of an employee who is falsely accused of a violation or against whom there is insufficient evidence to warrant further action.

## **THE CONFIDENTIAL REPRIMAND (KRS 11A.080(4)(A))**

The Ethics Commission may find probable cause of a violation during a preliminary investigation, but find mitigating circumstances, such as lack of financial gain to the employee, lack of loss to the state, and lack of impact on public confidence. In such situations, the Ethics Commission may confidentially reprimand the alleged violator rather than initiate an administrative proceeding. A confidential reprimand is merely a letter from the Ethics Commission sent to the public servant by certified mail. A copy is also sent to the appointing authority with instructions that the letter remain confidential.

## **CHARGES OF THE ETHICS COMMISSION (KRS 11A.080(4)(B), KRS 11A.100(1), (2), AND (3))**

If the Ethics Commission finds probable cause that a public servant may have violated the Ethics Code, and no mitigating factors exist that would justify a confidential reprimand, the Ethics Commission will vote to issue charges against the violator. These charges come in the form of a document called the **INITIATING ORDER**. This is the first public document in the Ethics Commission's record. This document begins the administrative proceedings process. The Ethics Commission's charges are civil in nature but can lead to criminal prosecution for violations of KRS 11A.040.

The person charged in the Initiating Order has twenty (20) days in which to file an answer to the charges. If they fail to do so, the Ethics Commission may enter a default judgement pursuant to KRS 11A.080(4)(b), KRS 11A.100, and 13B.050(5).

After charging an alleged violator with a violation of the Ethics Code, the Ethics Commission must prove by clear and convincing evidence during an administrative hearing that the public servant has violated the Ethics Code. This is a high standard and requires the Ethics Commission to ensure that it has good, solid evidence to bring charges against a violator.

The Ethics Commission's administrative hearings follow the KRS Chapter 13B process, except the Ethics Commission may designate its own hearing officers by contract. KRS 13B.020(7). The Ethics Commission maintains a roster of qualified hearing officers pursuant to 9 KAR 1:030, Section 6. During the administrative hearing, the alleged violator has due process rights to be represented by counsel, call witnesses, introduce exhibits, and cross-examine witnesses. The Ethics Commission's General Counsel serves as the "prosecutor" of these actions. The Hearing Officer will hear all evidence and issue a recommended order to the Ethics Commission. The Ethics Commission ultimately makes a final determination whether a violation occurred.

The Ethics Commission may settle matters with an individual if the individual will admit to the conduct and pay a reduced penalty.

## **PENALTIES**

### **(KRS 11A.100(3), (4), AND (5), AND KRS 11A.990)**

The Ethics Commission, upon clear and convincing proof of a violation of the Ethics Code, may:

Issue a cease-and-desist order;

Require a public servant to file a report, statement, or other information;

Issue a written, public reprimand which will be forwarded to the public servant's appointing authority;

Recommend to the appointing authority that the public servant be removed from office or his or her position; and order the public servant to pay a civil penalty of not more than **\$5,000** for **each** violation.

In addition:

If the violation has substantially influenced the action taken by any state agency in any matter, such shall be grounds for voiding, rescinding, or canceling the action on such terms as the interest of the state and innocent third persons require.

If the Ethics Commission determines that a violation of this chapter has occurred in a case involving a contract with state government, the secretary of the Finance and Administration Cabinet may void any contract related to that case.

If the Ethics Commission determines that a violation of the provisions of KRS 11A.001 to 11A.130 has occurred, an employer of a former officer or public servant may be subject to a fine of up to \$1,000 for each offense.

The Ethics Commission **shall** refer to the Attorney General all evidence of violations of KRS 11A.040 for prosecution – violations are Class D felonies punishable by one to five years in jail and additional fines.

An employee who fails to file with the Ethics Commission his Statement of Financial Disclosure by the due date will have his salary withheld until the statement is filed.

Any person who maliciously files with the Ethics Commission a false charge of misconduct on the part of any public servant or other person shall be fined not to exceed \$5000 or imprisoned in a county jail for a term not to exceed one year or both.

## **APPEALS**

### **(KRS 13B.140)**

The Ethics Commission's final orders may be appealed to the circuit court pursuant to KRS 13B.140.

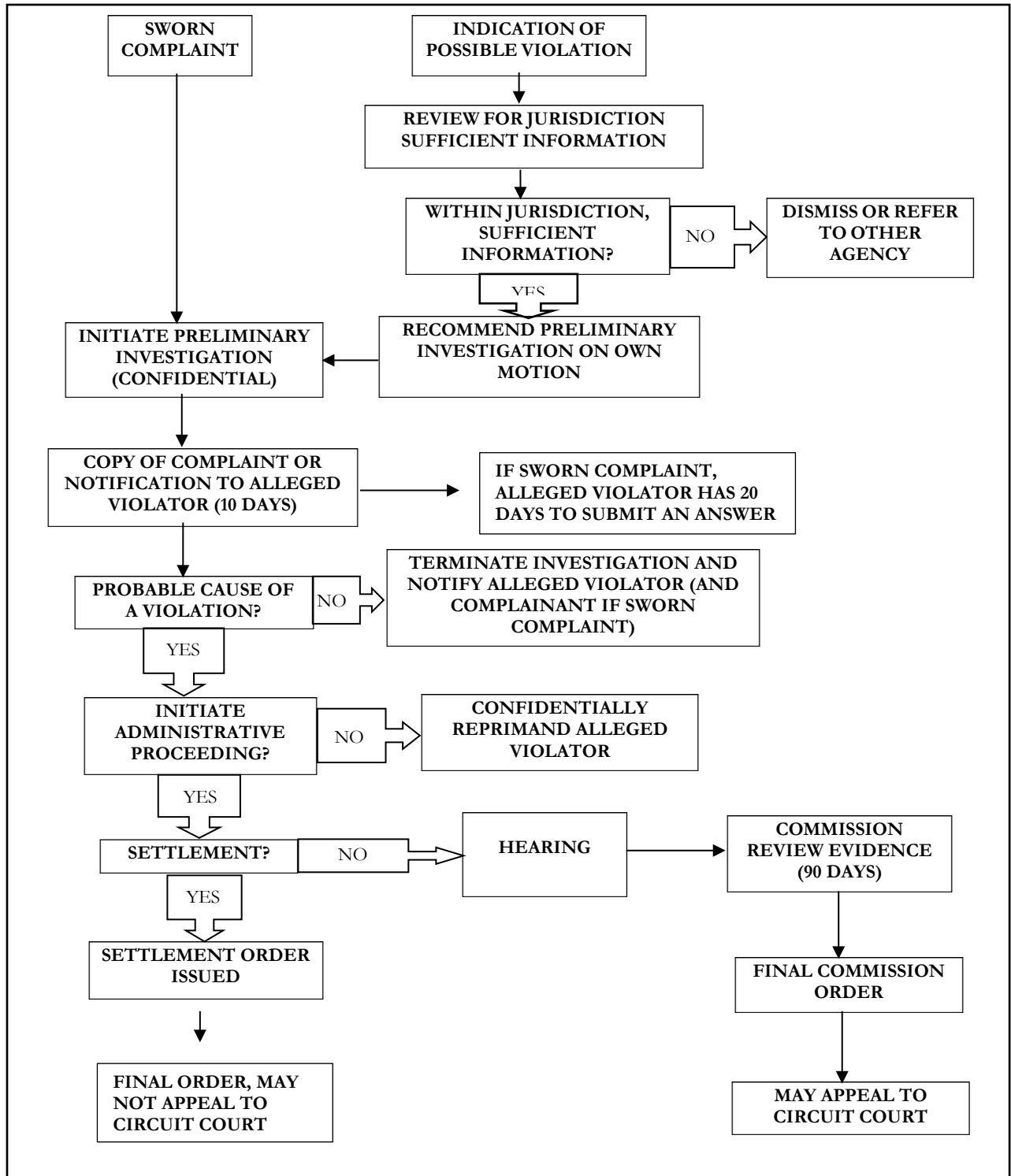
## **COLLECTION OF PENALTIES**

In fiscal year 2023-24 the Executive Branch Ethics Commission updated its accounts and began to have its delinquent accounts pursued by Enterprise Collections in the Department of Revenue.

Since 2024, all accounts have been reviewed, and 29 delinquent accounts have been sent to Enterprise Collections.

## INVESTIGATIVE FLOW CHART

The following flow chart illustrates the Ethics Commission's investigative process.



If the Ethics Commission finds, during a preliminary investigation, that probable cause of a violation has occurred, the Ethics Commission may, pursuant to KRS 11A.080(4):

- (1) due to mitigating circumstances such as no significant loss to the state, lack of significant economic gain to the alleged violator, or lack of significant impact on public confidence in government, issue to the alleged violator a confidential reprimand and provide a copy of the reprimand to the alleged violator's appointing authority; or
- (2) initiate an administrative proceeding to determine whether there has been a violation.

## **ADMINISTRATIVE PROCEEDINGS**

The provisions of KRS Chapter 13B apply to all Commission administrative hearings, except the Ethics Commission may designate its own administrative hearing officers through contract. If, during an administrative hearing, the Ethics Commission finds clear and convincing proof of a violation of the Code of Ethics, it may require the violator to cease and desist the violation, require the violator to file any required report or statement, publicly reprimand the violator, recommend the appointing authority suspend or remove the violator from office or employment, and/or impose a civil penalty of not more than \$5,000 per each violation.

In addition, any violation that has substantially influenced action taken by any state agency in a matter shall be grounds for voiding, rescinding, or canceling the action based on the interests of the state and innocent third persons. The Ethics Commission must refer to the Attorney General for prosecution any violations of KRS 11A.040 for possible criminal prosecution. Final action by the Ethics Commission may be appealed to the Circuit Court upon petition of any party in interest.

## STATISTICS

	<u>2023--2024</u>	<u>2024-2025</u>	<b>Total</b>
New Allegations Reviewed	46	79	125
Investigations Opened	28	57	85
Investigations Ongoing from Previous FY	41	34	75
Terminated Without Charges	19	11	30
Confidential Reprimands	1	1	2
Charges Filed and Administrative Proceedings Initiated	10	42	52
Cases Settled	8	36	44
Final Orders of Default	3	5	8
Administrative Hearings	3	5	8

During the biennium, one hundred twenty-five (125) “**New Allegations Reviewed**” were received by the staff to be either brought to the Ethics Commission for vote, referred to another agency, or dismissed for lack of jurisdiction. The Commission voted to approve opening eighty-five (85) investigations from the allegations received. Of those preliminary “**Investigations Opened**” during this biennium, thirty (30) did not have sufficient facts to constitute a violation of the code of ethics and were “**Terminated Without Charges**”; however, many alleged violators were sent information to ensure future compliance with the code of ethics. Two (2) investigations showed probable cause of a violation; however, due to mitigating circumstances, the alleged violators were sent “**Confidential Reprimands**” during the biennium. Forty-one (41) investigations remained active as of June 30, 2023, and thirty-one (31) investigations remained active as of June 30, 2024. During the biennium in fifty-two (52) investigations the Ethics Commission found probable cause of violations and issued “**Charges Filed and Administrative Proceedings Initiated**” therein. Forty-four cases were resolved through settlement (**Cases Settled**) and eight (8) cases received “**Final Orders of Default**.” Eight (8) cases proceeded to formal KRS 13B “**Administrative Hearings**.”

## **DISPOSITION OF INVESTIGATIONS**

The following details proceedings that were final either through a full administrative hearing or a settlement agreement during the biennium. Current ongoing litigation is also referenced below.

### **Executive Branch Ethics Commission v. Mike Ballard**

Year: 2023 | Case Number: 23-009

At its November 16, 2023 meeting, the Executive Branch Ethics Commission found Mike Ballard of Burkesville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Mr. Ballard admitted to violating one (1) count of the Executive Branch Code of Ethics. Specifically, as a former Highway Superintendent II, District Eight Cumberland County Maintenance Crew for the Transportation Cabinet, Mr. Ballard allowed staff to use state resources to wash private vehicles on several occasions. Pursuant to the Settlement Agreement, Mr. Ballard agreed to pay a \$2,000.00 civil penalty. He also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing a Final Order.

### **Executive Branch Ethics Commission v. Robert “Bobby” Carpenter**

Year: 2023 | Case Number: 23-005

At its November 16, 2023 meeting, the Executive Branch Ethics Commission issued a default judgement against Robert “Bobby” Carpenter of Prestonsburg, Kentucky for violations of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default approved by the Commission, Mr. Carpenter was found to have violated the Code of Ethics for a total of six (6) counts. Specifically, Mr. Carpenter, while claiming state time for his job as a former Area Manager with Kentucky Emergency Management, Department of Military Affairs, worked at other employment concurrently. He received compensation for the other employment while claiming state time. Pursuant to the Final Order of Default, Mr. Carpenter was ordered to pay a civil penalty of \$30,000. A public reprimand was issued as well.

### **Executive Branch Ethics Commission v. Jessica Miller**

Year: 2023 | Case Number: 23-008

At its November 16, 2023 meeting, the Executive Branch Ethics Commission found Jessica Miller of Calvert City, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ms. Miller admitted to two (2) counts of violating the Code of Ethics. Specifically, during the period of February 2021 to May 2021 while employed as a Registered Nurse with Wellpath, a contractor with the State of Kentucky, Ms. Miller, engaged in inappropriate conduct with an inmate at the Kentucky State Penitentiary. In addition, Ms. Miller requested money from the inmate’s father to purchase a ring as a gift from the inmate to herself. Pursuant to the Settlement

Agreement, Ms. Miller agreed to pay a \$3,000 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Lori Scholl**

Year: 2023 | Case Number: 19-011

At its November 16, 2023 meeting, the Executive Branch Ethics Commission found Lori Scholl of Gilbertsville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ms. Scholl admitted to one (1) count of violating the Code of Ethics. Specifically, while employed as a Server with the Department of Parks, Ms. Scholl used state time and/or resources to participate in the taking of a cell phone which belonged to a fellow employee. Pursuant to the Settlement Agreement, Ms. Scholl agreed to pay a \$1,000.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Irvin Ware**

Year: 2023 | Case Number: 23-006

At its November 16, 2023 meeting the Executive Branch Ethics Commission found Irvin Ware, of Ashcamp, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Mr. Ware admitted to two (2) counts of violating the Executive Branch Code of Ethics. Specifically, while employed as a Corrections Officer at Green River Correctional Complex, Mr. Ware sexually assaulted an inmate. Pursuant to the Settlement Agreement, Mr. Ware agreed to pay a \$2,000.00 civil penalty. He also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Jeffery Taylor**

Year: 2024 | Case Number: 23-004

At its March 14, 2024 meeting the Executive Branch Ethics Commission found Jeffery Taylor of Hopkinsville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found Mr. Taylor violated the Code of Ethics, KRS 11A.050 (1)(c) by failing to file his Statement of Financial Disclosure upon leaving his position as an officer with the state. Pursuant to the Final Order of Default, Mr. Taylor must pay a \$5,000.00 civil penalty, file a Statement of Financial Disclosure for the period of January 1, 2022 to May 25, 2022. and receive a public reprimand.

### **Executive Branch Ethics Commission v. Wayne Howel Carr**

Year: 2024 | Case Number: 24-007

At its May 15, 2024, meeting the Executive Branch Ethics Commission found Wayne Howel Carr of Mayfield, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Wayne Howel Carr



admitted to one (1) count of violating the Executive Branch Code of Ethics. Specifically, while employed as the Graves County Public Valuation Administrator (“PVA”), Department of Revenue, Wayne Howel Carr made prohibited and unsupported disbursements of PVA funds and resources that created privileges and financial gain for himself and others in derogation of the public interest at large. Pursuant to the Settlement Agreement, Wayne Howel Carr agreed to pay a \$5,000.00 civil penalty. He also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Shadia Johnson**

Year: 2024 | Case Number: 24-004

At its May 15, 2024, meeting the Executive Branch Ethics Commission found Shadia Johnson of Richmond, KY, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Shadia Johnson admitted to two (2) counts of violating the Executive Branch Code of Ethics. Specifically, while employed as a Law Enforcement Training Instructor II for the Department of Criminal Justice Training, Justice and Public Safety Cabinet, Shadia Johnson either left early and reported a full 7.5 hours worked or failed to report to work at all and claimed 7.5 hours worked on her time sheet. Pursuant to the Settlement Agreement, Shadia Johnson agreed to pay a \$2,004.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Rebecca Pittman**

Year: 2024 | Case Number: 24-005

At its May 15, 2024 meeting, the Executive Branch Ethics Commission found Rebecca Pittman of Campbellsville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Rebecca Pittman admitted to two (2) counts of violating the Executive Branch Code of Ethics. Specifically, while employed as a Youth Worker at Adair Youth Development Center, Department of Juvenile Justice, Rebecca Pittman formed an inappropriate relationship with a juvenile under her supervision. Pursuant to the Settlement Agreement, Rebecca Pittman agreed to pay a \$2,000.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Ron Tyler**

Year: 2024 | Case Number: 23-002

At its May 15, 2024, meeting, the Executive Branch Ethics Commission found Ron Tyler of Pioneer Village, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ron Tyler admitted to four(4) counts of violating the Executive Branch Code of Ethics. Specifically, Ron Tyler used his position as a Probation and Parole Officer, and his access and supervision over

four (4) probationers and parolees to engage in physical sexual conduct for his own prurient interests. Pursuant to the Settlement Agreement, Ron Tyler agreed to pay a \$8,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing a Final Order.

### **Executive Branch Ethics Commission v. Brandon Wilber**

Year: 2024 | Case Number: 24-001

At its May 15, 2024 meeting, the Executive Branch Ethics Commission found Brandon Wilber of Clinton, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. Mr. Wilber violated the Code of Ethics in three (3) separate counts. Specifically, while employed as a KY Tech Instructor Rank III, Department of Education, Wilbur used his access to state funds in student organization accounts and wrote two counter checks to “cash” for \$205.00, used a debit card from the Skills USA account for unauthorized purchases and to make six ATM cash withdrawals totaling \$1,298.29 from the account. Mr. Wilber also used a Paducah Innovation forklift to steal a piece of white oak gifted to the school by loading it into his private vehicle and removing it from the school. The Commission issued a Final Order of Default. Pursuant to the Final Order of Default, Mr. Wilber must pay a \$15,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Jonathan Harris**

Year: 2024 | Case Number: 24-003

At its July 17, 2024 meeting, the Executive Branch Ethics Commission found Jonathan Harris of Louisville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found Jonathan Harris violated the Code of Ethics, KRS 11A.020 (1)(a) and (d). Specifically, while employed as a Corrections Officer, Justice and Public Safety Cabinet, Mr. Harris used information obtained through a state database, Kentucky Offender Management System (“KOMS”), to obtain information about inmates so he could send sexually explicit emails and photographs of himself. Pursuant to the Final Order of Default, Jonathan Harris must pay a \$9,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Donald Sutcliffe**

Year: 2024 | Case Number: 24-010

At its July 17, 2024 meeting, the Executive Branch Ethics Commission found Donald Sutcliffe of Frankfort, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Donald Sutcliffe admitted to two (2) counts of violating the Executive Branch Code of Ethics. Specifically, while employed as a Workforce Development Manager for the Office of Unemployment Insurance, Donald Sutcliffe used his state-issued access to the Unemployment Insurance claim database to obtain prohibited information about claims filed for him, friends, and family. Mr. Sutcliffe used his professional knowledge to leave out information of his full-time

employment on the UI application that would have automatically prevented payment. Additionally, he used his position as an OUI manager to direct others to lift holds on the OUI claim resulting in payment of funds he was not entitled to receive as a full-time employee. Pursuant to the Settlement Agreement, Donald Sutcliffe agreed to pay a \$2,000.00 civil penalty. He also agreed to a public reprimand, to not work as a state employee, and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Tracy Beatty**

Year: 2024 | Case Number: 24-002

At its September 19, 2024 meeting, the Executive Branch Ethics Commission found Tracy Beatty, Lexington, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ms. Beatty admitted to violating (1) one count of the Executive Branch Code of Ethics, KRS 11A.020(1)(a) and (d). Specifically, while employed as a Cosmetology Inspector I, Field Services Unit, Kentucky Board of Cosmetology, Ms. Beatty falsely claimed state time when she was at home or at her salon instead of performing on-site inspections for the Kentucky Board of Cosmetology. Pursuant to the Agreed Final Order, Ms. Beatty must pay a \$3,000.00 civil penalty, receive a public reprimand, and waives any right to appeal.

### **Executive Branch Ethics Commission v. Jeremy Boyle**

Year: 2024 | Case Number: 24-016

At its September 19th, 2024 meeting, the Executive Branch Ethics Commission found Jeremy Boyle of Stanford, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Jeremy Boyle admitted to five (5) counts of violating the Executive Branch Code of Ethics. Specifically, while employed as an Engineering Supervisor for District Seven of the Transportation Cabinet, Jeremy Boyle used a state vehicle to attend to personal business while claiming state time. He also allowed others to use the state dumpster for non-state dumping. Pursuant to the Settlement Agreement, Jeremy Boyle agreed to pay a \$10,000.00 civil penalty. He also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Trista Fox**

Year: 2024 | Case Number: 24-011

At its September 19, 2024, meeting the Executive Branch Ethics Commission found Trista Fox of Fredonia, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Trista Fox admitted to one(1) count of violating the Executive Branch Code of Ethics. Specifically, while employed as a Correctional Officer at Kentucky State Penitentiary, Department of Corrections, Trista Fox formed an inappropriate and sexual relationship with an inmate while on duty. Pursuant to the Settlement Agreement, Trista Fox agreed to pay a \$1,500.00 civil penalty. She also

agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Elizabeth Koonce**

Year: 2024 | Case Number: 24-017

At its September 19, 2024, meeting the Executive Branch Ethics Commission found Elizabeth Koonce of Powderly, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Elizabeth Koonce admitted to one (1) count of violating the Executive Branch Code of Ethics. Specifically, while employed as a contract worker at Green River Correctional Complex, Justice and Public Safety Cabinet, Ms. Koonce formed a relationship and engaged in sexual intercourse with an inmate while on duty. Pursuant to the Settlement Agreement, Ms. Koonce agreed to pay a \$1,992.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Amanda Kulka**

Year: 2024 | Case Number: 24-014

At its September 19, 2024, meeting the Executive Branch Ethics Commission found Amanda Kulka of Greenville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Amanda Kulka admitted to one (1) count of violating the Executive Branch Code of Ethics. Specifically, while employed as a Correctional Officer at Green River Correctional Complex, Justice and Public Safety Cabinet, Amanda Kulka formed an inappropriate relationship following sexual contact with an inmate under her supervision. Pursuant to the Settlement Agreement, Amanda Kulka agreed to pay a \$2,000.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Christi Laneve**

Year: 2024 | Case Number: 24-012

At its September 19, 2024 meeting, the Executive Branch Ethics Commission found Christi Laneve, Eddyville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found Ms. Laneve violated two counts of the Code of Ethics, KRS 11A.020(1)(a)(c) and (d). Specifically, Ms. Laneve used her position as a Correctional Officer within the Cabinet for Justice and Public Safety, to engage in physical sexual conduct with inmates she was charged with overseeing. In addition, Ms. Laneve engaged in fiscal relationships with inmates. She agreed to file taxes for an inmate in exchange for payment of \$1,200.00. Pursuant to the Final Order of Default, Ms. Laneve must pay a \$10,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Kimberly Mefford**

Year: 2024 | Case Number: 24-018

At its September 19, 2024, meeting the Executive Branch Ethics Commission found Kimberly Mefford of Beech Creek, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Kimberly Mefford admitted to one (1) count of violating the Executive Branch Code of Ethics. Specifically, while employed as a contract worker at Green River Correctional Complex, Justice and Public Safety Cabinet, Ms. Mefford formed an inappropriate relationship with an inmate while on duty and failed to report a coworker who was in an inappropriate and sexual relationship with a different inmate while on duty. Pursuant to the Settlement Agreement, Ms. Mefford agreed to pay a \$1,000.00 civil penalty. She also agreed to a public reprimand and waived any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Tara Reynolds**

Year: 2024 | Case Number: 24-008

At its September 19, 2024 meeting, the Executive Branch Ethics Commission (“the Commission”) found Tara Reynolds, Harrodsburg, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ms. Reynolds admitted to four counts of violating the Code of Ethics, KRS 11A.020(1)(a), (c) and (d). Specifically, while employed as a Fiscal Manager, Kentucky School for the Deaf, (“KSD”), Department of Education, Ms. Reynolds used her state email to prepare and modify a bid for a state service on behalf of her husband’s private company. In addition, she used her knowledge of the state procurement process to facilitate acceptance of the bid. Ms. Reynolds also used her state computer and email to create a fake estimate for a non-existent company to manipulate the state bidding process. Pursuant to the Settlement Agreement, Ms. Reynolds must pay a \$10,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Kimberly Walls**

Year: 2024 | Case Number: 24-013

At its September 19, 2024 meeting, the Executive Branch Ethics Commission found Kimberly Walls, Benton, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement, approved by the Commission, Ms. Walls admitted to violating two counts of the Code of Ethics, KRS 11A.020(1)(a)(c) and (d). Specifically, while employed as a Correctional Officer, Justice and Public Safety Cabinet, Ms. Walls engaged in physical sexual conduct with an inmate she supervised. In addition, she used her position to facilitate an inmate selling controlled substances within a state operated corrections facility. Pursuant to the Agreed Final Order, Ms. Walls must pay a \$3,000.00 civil penalty, receive a public reprimand, and waives any right to appeal.

### **Executive Branch Ethics Commission v. LaSaundra (Sonja) Cox**

Year: 2024 | Case Number: 24-006

At its November 13, 2024 meeting, the Executive Branch Ethics Commission found LaSaundra (Sonja) Cox of Lexington, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found LaSaundra Cox violated four (4) counts of the Code of Ethics. Specifically, while employed as an Executive Administrative Secretary for the Justice Cabinet, Cox used her position as the Lead Coordinator for the Kentucky Employees Charitable Campaign fundraising coordinator to collect and keep cash donations from the 2021 campaign, failed to turn in check contributions from the 2021 campaign, and failed to turn in cash and checks for the 2022 campaign until confronted several months after the deadline. Pursuant to the Final Order of Default, LaSaundra Cox must pay a \$20,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Roanna L. Kirk**

Year: 2024 | Case Number: 24-020

At its November 13, 2024 meeting, the Executive Branch Ethics Commission found Roanna L. Kirk of Lawrenceburg, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Roanna L. Kirk admitted to five (5) counts of violating the Executive Branch Code of Ethics. While employed as a Resource Management Analyst III, Education and Labor Cabinet, Roanna L. Kirk falsified documents between 2018 and 2020 so she could divert and receive funds from the Reemployment Trade Adjustment Assistance program to which she was not entitled. By doing so she created privileges and financial gain for herself in derogation of the public interest at large. Pursuant to the Settlement Agreement, Roanna L. Kirk agreed to pay a \$25,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Brittany Joyce May**

Year: 2024 | Case Number: 24-022

At its November 13, 2024 meeting, the Executive Branch Ethics Commission found Brittany Joyce May of Frankfort, KY, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Brittany Joyce May admitted to twenty (20) counts of violating the Executive Branch Code of Ethics while employed as an Administrative Assistant III, Cabinet for Health and Family Services (CHFS). Specifically, she used the names and Social Security numbers of several clients listed in the CHFS resource directory of the adoption and foster-care programs to convert payments made to them to one of four bank accounts she created for her own use. This was all for her own personal interest, her personal financial benefit, and in substantial conflict with her duties. Pursuant to the Settlement Agreement, Brittany Joyce May agreed to pay a \$100,000.00

civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Anthony Page**

Year: 2024 | Case Number: 24-019

At its November 13, 2024 meeting, the Executive Branch Ethics Commission found Anthony Page of Lexington, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Anthony Page admitted to one (1) count of violating the Executive Branch Code of Ethics. While employed as a Workforce Development Facilitator, Office of Unemployment Insurance, Page used his position in a manner which involved a substantial conflict between his personal or private interest and his duties in the public interest. Specifically, during April 2021, Anthony Page used a state-issued vehicle for nonstate activities. This created privileges and financial gain and was in derogation of the public interest at large. Pursuant to the Settlement Agreement, Anthony Page agreed to pay a \$2004.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Ashley Scroggum Sanford**

Year: 2024 | Case Number: 24-015

At its November 13, 2024 meeting, the Executive Branch Ethics Commission found Ashley Scroggum Sanford of La Grange, Kentucky in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Ashley Scroggum Sanford admitted to two (2) counts of violating the Executive Branch Code of Ethics while employed as a Correctional Officer, Justice and Public Safety Cabinet. Specifically, Sanford had an inappropriate relationship with an inmate while working at Luther Luckett Correctional Complex and accepted money as payment for bringing in drugs to the correctional facility. Ms. Sanford brought in methamphetamine and synthetic spice. This was all for her own personal interest, her personal financial benefit, and in substantial conflict with her duties as a Correctional Officer to maintain a safe facility. Pursuant to the Settlement Agreement, Ashley Scroggum Sanford agreed to pay a \$2,000.00 civil penalty, receive a public reprimand and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Tyler Beagle**

Year: 2025 | Case Number: 24-024

At its January 15, 2025 meeting, the Executive Branch Ethics Commission found Tyler Beagle, Somerset, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found Tyler Beagle violated one (1) count of the Code of Ethics. Specifically, while serving as a Correctional Officer within the Justice and Public Safety Cabinet, Tyler Beagle used state resources to send unsolicited pictures of his genitalia to another person. Pursuant to the Final Order of Default, Tyler Beagle must pay a \$5,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Ronnie Lee Goldy**

Year: 2025 | Case Number: 24-009

At its January 15, 2025 meeting, the Executive Branch Ethics Commission found Ronnie Lee Goldy of Morehead, KY, former Commonwealth's Attorney representing the 21st Circuit, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In an Agreed Final Order, the Commission found Ronnie Goldy violated three (3) counts of the Code of Ethics, while acting as a public servant. Specifically, on dates between May 3, 2018 and September 6, 2020, Ronnie Goldy used his personal Facebook account to communicate and form a relationship with a defendant, who had active criminal cases in the 21st Circuit where he prosecuted cases as the Commonwealth's Attorney. Ronnie Goldy performed favors for the defendant that included having warrants recalled for cases that were in his circuit, providing her with money, and discussing active criminal cases with the expectation of receiving something in return. In his on-going communication with the defendant through his personal accounts, Ronnie Goldy would declare that she "owed" him after a favor was executed on her behalf and made it clear he expected additional nude images or sexually explicit videos after receiving the initial set of nude images from the defendant. Ronnie Goldy used his position to solicit pictures and videos from the defendant for his own interest. In a Settlement Agreement, approved by the Commission, Ronnie Goldy must pay a \$10,000.00 civil penalty and receive a public reprimand. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. William B. Abbott**

Year: 2025 | Case Number: 25-013

At its March 12, 2025 meeting, the Executive Branch Ethics Commission ("the Commission") found William B. Abbott, Nancy, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, William B. Abbott admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician II, Roadside Environment Section, Kentucky Transportation Cabinet, Abbott, a public servant, accepted a dinner at Jeff Ruby's Steakhouse that was paid for by a prohibited source. Pursuant to the Settlement Agreement, William B. Abbott agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Scott Blair**

Year: 2025 | Case Number: 24-025

At its March 12, 2025 meeting, the Executive Branch Ethics Commission ("the Commission") found Scott Blair of Perry County, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Final Order of Default, the Commission found Scott Blair violated the Code of Ethics, KRS 11A.020 (1)(a)(b) and (d). Specifically, while serving as the Commonwealth Attorney for Perry County Kentucky, between April



2020 and March 2024, Blair used his position to perform official actions, including recommendations of probation and drug treatment programs instead of incarceration, or not recommending incarceration for probation violations, in exchange for methamphetamine, purchase of methamphetamine, or performance of sex acts. Pursuant to the Final Order of Default, Scott Blair must pay a \$20,000.00 civil penalty and receive a public reprimand.

### **Executive Branch Ethics Commission v. Matthew A. Bland**

Year: 2025 | Case Number: 25-006

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Matthew A. Bland, Frankfort, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Matthew A. Bland admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside Environment District Administrator, Roadside Environment Section, in the Kentucky Transportation Cabinet, Mr. Bland, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement Matthew A. Bland agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Darrell L. Burks**

Year: 2025 | Case Number: 25-007

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Darrell L. Burks, Lawrenceburg, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement, approved by the Commission, Darrell L. Burks admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as an Environmental Control Manager, Roadside Environment Branch, Kentucky Transportation Cabinet, Mr. Burks accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement, Darrell L. Burks agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Charles Carter**

Year: 2025 | Case Number: 25-001

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Charles Carter, Georgetown, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Charles Carter admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(a) and (d). Specifically, between 2022 and 2023, while employed as an HR Administrator at Blackburn Correctional Complex, Justice and Public Safety Cabinet, Mr. Carter misused his state phone and state office for his own prurient interests in conflict with his duties as a public servant and in derogation of the public interest at large. Pursuant to

the Settlement Agreement, Charles Carter agreed to pay a \$5,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Robert Ellis**

Year: 2025 | Case Number: 25-015

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Robert Ellis, Monticello, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Robert Ellis admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician I, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Ellis, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse that was paid for by a prohibited source. Pursuant to the Settlement Agreement, Robert Ellis agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Roy Epperson, Jr.**

Year: 2025 | Case Number: 25-017

At its March 12, 2025, meeting, the Executive Branch Ethics Commission (“the Commission”) found Roy Epperson, Jr., Nancy, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Roy Epperson, Jr. admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician II, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Epperson accepted a dinner at Jeff Ruby’s Steakhouse that was paid for by a prohibited source. Pursuant to the Settlement Agreement, Roy Epperson, Jr. agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Dustin R. Gumm**

Year: 2025 | Case Number: 25-011

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Dustin R. Gumm, Booneville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Dustin R. Gumm admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside Environment District Administrator, Roadside Environment Section, Kentucky Transportation Cabinet, Gumm, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement, Dustin

R. Gumm agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Daveida M. Mallory**

Year: 2025 | Case Number: 25-018

At its March 12, 2025, meeting the Executive Branch Ethics Commission (“the Commission”) found Daveida M. Mallory, Belton, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Daveida M. Mallory admitted to violating two (2) counts of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside Environment State Administrator, Roadside Environment Branch, Kentucky Transportation Cabinet, Ms. Mallory, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source and claimed reimbursement from the state on her travel voucher. Pursuant to the Settlement Agreement, Daveida M. Mallory agreed to pay a \$1,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Richard R. Meeks**

Year: 2025 | Case Number: 25-008

At its March 12, 2025, meeting the Executive Branch Ethics Commission (“the Commission”) found Richard R. Meeks, Oakland, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Richard R. Meeks admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician Superintendent II, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Meeks, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse that was paid for by a prohibited source. Pursuant to the Settlement Agreement, Richard R. Meeks agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. John R. Mucci**

Year: 2025 | Case Number: 25-009

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found John R. Mucci, Frankfort, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, John R. Mucci admitted violating one (1) count of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside State Environment Administrator, Roadside Environment Branch, Kentucky Transportation Cabinet, Mucci, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement, John R. Mucci agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Paul C. Nicholson**

Year: 2025 | Case Number: 25-012

At its March 12, 2025, meeting the Executive Branch Ethics Commission (“the Commission”) found Paul C. Nicholson, London, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement, approved by the Commission, Paul C. Nicholson admitted violating two (2) counts of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside State Environment District Administrator, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Nicholson, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse that was paid for by a prohibited source and then received reimbursement for the meal by submitting a state travel voucher. Pursuant to the Settlement Agreement, Paul C. Nicholson agreed to pay a \$1,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Jeffrey T. Pettyjohn**

Year: 2025 | Case Number: 25-005

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Jeffrey T. Pettyjohn, Russell Springs, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Jeffrey T. Pettyjohn admitted violating three (3) counts of the Code of Ethics, KRS 11A.020(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside Environment District Administrator, Roadside Environment Section, Kentucky Transportation Cabinet, Pettyjohn, a public servant, accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source, brought a guest, and then claimed it on a state travel voucher. Pursuant to the Settlement Agreement, Jeffrey T. Pettyjohn agreed to pay a \$1,500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Mark A. Tibbles**

Year: 2025 | Case Number: 24-003

At its March 12, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Mark A. Tibbles, of Danville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Mr. Tibbles admitted violating twenty (20) counts of the Code of Ethics, KRS 11A.020 (c) and (d). Specifically, between December 2, 2021 - July 6, 2023, while employed as a Research Management Analyst II, Department for Public Health (“DPH”), Division of Administration and Financial Management (“DAFM”), Health and Family Services Cabinet, Mr. Tibbles reported working the full 7.5 hours for the state when he actually performed work for a private business at Silver Bullet Guns & Gold, LLC. He also falsified his telecommuting work location and placed his state-issued equipment at Silver Bullet Guns & Gold, LLC, a different tax locality, instead of his approved location. These acts created privileges and financial gain

for himself while in derogation of the public interest at large. Pursuant to the Settlement Agreement, Mark A. Tibbles agreed to pay a \$20,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Tyler A. Baugh**

Year: 2025 | Case Number: 25-014

At its May 14, 2025, meeting the Executive Branch Ethics Commission (“the Commission”) found Tyler A. Baugh, Eubank, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Tyler A. Baugh admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(1)(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician II, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Baugh accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement Tyler A. Baugh agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Chad L. Cairo**

Year: 2025 | Case Number: 25-021

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Chad L. Cairo, Danville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement, approved by the Commission, Chad L. Cairo admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(1)(a)(c) and (d). Specifically, while employed as a Correctional Officer, Northpoint Training Center, Justice and Public Safety Cabinet, Mr. Cairo brought liquid methamphetamine for the purpose of trafficking into the facility. Pursuant to the Settlement Agreement, Chad L. Cairo agreed to pay a \$1,500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Tyler G. Hinds**

Year: 2025 | Case Number: 25-026

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Tyler G. Hinds, Vine Grove, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Tyler G. Hinds admitted violating one (1) count of the Code of Ethics, KRS 11A.020(1)(a) and (d). Specifically, between January and February 2021, while employed as a Probation Officer, Justice and Public Safety Cabinet, Mr. Hinds engaged in an inappropriate relationship with a probationer under the supervision of his office. He did so to suit his own prurient interests, in conflict with his duties as a public servant and in derogation of the public interest at large. Pursuant to the Settlement Agreement, Tyler G. Hinds agreed to pay a \$2,000.00 civil

penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Donovan Simpson**

Year: 2025 | Case Number: 25-016

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Donovan Simpson, Monticello, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Donovan Simpson admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(1)(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Highway Technician I, Roadside Environment Section, Kentucky Transportation Cabinet, Mr. Simpson accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement, Donovan Simpson agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Morgann K. Short**

Year: 2025 | Case Number: 25-010

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Morgann K. Short, Greenville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Morgann K. Short admitted violating one (1) count of the Code of Ethics, KRS 11A.020(1)(d) and KRS 11A.045(1). Specifically, on March 26, 2024, while employed as a Roadside Environment District Administrator, Kentucky Transportation Cabinet, Ms. Short accepted a dinner at Jeff Ruby’s Steakhouse paid for by a prohibited source. Pursuant to the Settlement Agreement, Morgann K. Short agreed to pay a \$500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Edward J. Smith**

Year: 2025 | Case Number: 25-024

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Edward J. Smith, Nicholasville, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Edward J. Smith admitted violating one (1) count of the Code of Ethics, KRS 11A.020(1)(a) and (d). Specifically, between 2022 and 2023 while employed as a Correctional Officer with the Justice and Public Safety Cabinet, Mr. Smith misused a state office to have sexual contact with another employee on state time for his own prurient interests in conflict with conducting his duties as a Correctional Officer and in derogation of the public interest at large. Pursuant to the Settlement Agreement, Edward J. Smith agreed to pay a \$2,000.00 civil penalty, receive

a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Mica Rae Tolliver Davis**

Year: 2025 | Case Number: 25-019

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Mica Rae Tolliver Davis, Georgetown, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Mica Rae Tolliver Davis admitted violating one (1) count of the Code of Ethics, KRS 11A.020(1)(c) and (d). Specifically, on August 21, 2024, Ms. Davis resigned from her position as Teacher Rank IIA, Kentucky School for the Deaf, Department of Education and failed to return state property which had been provided to use for her position as a teacher for the state. The items not returned included a Dell Monitor, a Dell docking station, a wireless keyboard, a wireless mouse, a Brother portable printer, Apple keyboard case, Apple pencil, DC converter, Oticon Edumic 2.4G with lanyard, and Phonak Roger Select. Pursuant to the Settlement Agreement, Mica Rae Tolliver Davis agreed to pay a \$2,500.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Christine R. Vickers**

Year: 2025 | Case Number: 25-025

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Christine R. Vickers, Lexington, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Christine R. Vickers admitted to violating one (1) count of the Code of Ethics, KRS 11A.020(1)(a) and (d). Specifically, between 2022 and 2023 while employed as a Correctional Officer with the Justice and Public Safety Cabinet, Ms. Vickers misused a state office by having personal contact with another employee on state time for her own prurient interests in conflict with conducting her duties as a Correctional Officer and in derogation of the public interest at large. Pursuant to the Settlement Agreement Christine R. Vickers agreed to pay a \$2,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

### **Executive Branch Ethics Commission v. Sean Wells**

Year: 2025 | Case Number: 25-023

At its May 14, 2025 meeting, the Executive Branch Ethics Commission (“the Commission”) found Sean Wells, Versailles, Kentucky, in violation of KRS Chapter 11A, the Executive Branch Code of Ethics. In a Settlement Agreement approved by the Commission, Sean Wells admitted violating one (1) count of the Code of Ethics, KRS 11A.020(1)(a) and (d). Specifically, between 2022 and 2023 while employed as a Corrections Officer with the Justice and Public Safety Cabinet, Sean Wells misused a state office on state time for his own prurient interests by having sexual contact with a colleague in conflict with his duties as a Correctional

Officer and in derogation of the public interest at large. Pursuant to the Settlement Agreement, Sean Wells agreed to pay a \$2,000.00 civil penalty, receive a public reprimand, and waive any right to appeal. The Commission concluded the matter by issuing an Agreed Final Order.

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-All final orders of the Ethics Commission issued pursuant to an administrative hearing are appealable to circuit court.



## COURT REVIEW

**1. *Albert Dixon v. Executive Branch Ethics Commission***, Madison Circuit Court, Case No. 22-CI-00167.

Dixon appealed the Commission's Final Order to the Madison Circuit Court.

10/10/2023-Dixon Brief filed.

10/20/2023-EBEC Brief filed.

11/27/2023-Dixon Reply Brief filed.

12/20/2023-Order Affirming.

01/11/2024-Notice of Appeal filed to the Ky. Court of Appeals.

02/07/2025-Opinion Vacating and Remanding.

**2. *Albert Dixon v. Executive Branch Ethics Commission***, Madison Circuit Court, Case No. 22-CI-00377.

08/24/2022 Petition for Appeal filed.

09/14/2022 EBEC filed its answer.

06/18/2024 Matter Dismissed.

**3. *Alison Lundergan Grimes v. Executive Branch Ethics Commission***, Franklin Circuit Court, Case No. 23-CI-00544.

Ms. Grimes found by hearing officer and EBEC to have violated KRS 11A.020(1)(a) and (d) on two counts, by using her position and influence to download voter information for an improper personal purpose and to download and improperly distribute voter lists to others without following the processes of government and ordered to pay a civil penalty in the amount of \$10,000.00.

06/15/2023-Petition on Appeal to the Franklin Circuit Court.

04/29/2024-Order Granting.

05/24/2024-EBEC Notice of Appeal to the Ky. Court of Appeals.

03/21/2025-Opinion Affirming.

**4. *Gregory D. Stumbo v. Executive Branch Ethics Commission***, Franklin Circuit Court, Case No. 24-CI-00103.

Case dismissed for lack of standing.

02/01/2024-Petition for Declaration of Rights

02/26/2024-EBEC Answer

05/20/2024-Order Dismissing

**5. (A) *Andy Beshear, etc., et al. v. Legislative Research Commission, et al.***, Jefferson Circuit Court, Case No. 22-CI-002228.

Challenge to HB 334, seeking a declaration of rights and a temporary and permanent injunction.

07/11/2022-Circuit Court Judgment

**(B) *Daniel Cameron, etc., et al. v. Andy Beshear, etc., et al.***- Case No. 2022-CA-0837.  
***Ryan Quarles, etc., et al. v. Andy Beshear, etc., et al.*** – Case No. 2022-CA-0838.

07/11/2022-Notices of Appeal filed in the Ky. Court of Appeals  
03/01/2024-Opinion and Order Reversing and Remanding

**(C) *Andy Beshear, etc., et al. v. Russell Coleman, etc., et al.***, Case No. 2024-SC-0228.

05/23/2024-Motion for Discretionary Review filed in the Supreme Court of Kentucky  
02/13/2025-Order Granting Discretionary Review  
10/16/2025-Oral Argument

**6. *Executive Branch Ethics Commission v. Terry Farmer***, Franklin Circuit Court  
Case No. 17-CI-00561.

03/06/2025-EBEC Motion for Hearing  
04/01/2025-Order Granting Judgment on the Pleadings

# EXECUTIVE AGENCY LOBBYING

## REGISTRATION

Any person engaged for compensation to influence, on a substantial basis, a decision to be made by an executive branch official or staff member concerning a state expenditure, grant, or budgetary allocation of state funds must register with the Ethics Commission, along with his employer, and real party in interest, if applicable, as an Executive Agency Lobbyist (“EAL”) within ten days of the engagement. Thus, if a person attempts to secure business with the state by communicating and attempting to influence a state employee's decision, the person must register as an executive agency lobbyist if such attempts are made involving state funds of over \$5,000. Upon registration, an executive agency lobbyist is issued a registration card.

### Provisions relating to Lobbying:

- KRS 11A.201 through KRS 11A.246
- 9 KAR 1:040
- Penalties: KRS 11A.990

### What is Professional Lobbying?

Any person who receives compensation for his or her efforts to influence legislators, elected officials, or executive agency decision-makers on behalf of a client or employer is a professional lobbyist. A lobbyist of executive branch agencies is called an Executive Agency Lobbyist or EAL.

### What is Executive Agency Lobbying?

Anyone attempting to promote, advocate, or oppose the passage, modification, defeat, or executive approval or veto of any legislation or otherwise influence the outcome of an executive agency decision if the decision will result in the expenditure of state funds of \$5000 or more or would financially impact the person's client. The person does this by engaging in direct communication with:

1. An elected executive official;
2. The secretary of any cabinet listed in KRS 12.250;
3. Any executive agency official whether in the classified service or not; or
4. A member of the staff of any one of the officials listed in this paragraph.

### What is an Executive Agency Decision?

An *executive agency decision* means a decision of an executive agency regarding the expenditure of state funds or funds of an executive agency with respect to the award of a contract, grant, lease, or other financial arrangement under which such funds are distributed or allocated. This shall also include decisions made concerning:

- (a) The parameters of requests for information and requests for proposal;
- (b) Drafting, adopting, or implementing a budget provision;
- (c) Administrative regulations or rules;
- (d) An executive order; or
- (e) Legislation or amendments thereto.

However, Executive Agency Decisions must result in the expenditure of state funds of \$5,000 or more or would financially impact the person's client.

### **What does financial impact mean?**

The term “financial impact” is not defined by statute or regulation. As such, we must use the ordinary definitions of those terms. Therefore, an executive agency decision that financially impacts the EAL’s client would be a decision that would have an effect on the financial position of the client.

### **Who should register as an EAL?**

An EAL is any individual who is engaged by an employer *on a substantial issue*, as one of his or her main purposes, to influence executive agency decisions or to conduct executive agency activity by direct communication. This includes representing public interest entities formed for the purpose of promoting or otherwise influencing executive agency decisions.

**Definition of “on a substantial issue”:** Any lobbying activity which includes direct contacts with an executive agency during a calendar year for the purpose of influencing an executive agency decision involving state funds of at least \$5,000 per year or any budget provision, administrative regulation or rule, legislative matter or other public policy matter that financially impacts the executive agency lobbyist or his or her employer.

**Definition of “engaged” or “engagement”:** *Engage* means to make any arrangement, and *engagement* means any arrangement made, whereby an individual is employed or retained for *compensation* to act for or on behalf of an employer to influence executive agency decisions or to conduct any executive agency lobbying activity.

### **Contingency Arrangements**

Pursuant to KRS 11A.236, no person shall engage any person to influence executive agency decisions or conduct executive agency lobbying activity for compensation that is contingent in any way on the outcome of an executive agency decision, including payment based on the awarding of a contract or payment of a percentage of a government contract awarded. No person shall accept any engagement to influence executive agency decisions or conduct executive agency lobbying activity for compensation that is contingent in any way on the outcome of an executive agency decision, except for certain sales commissions, including payment based on the awarding of a contract or payment of a percentage of a government contract awarded. An employer who pays an executive agency lobbyist based on the awarding of a contract or payment of a percentage of a government contract awarded shall be barred from doing business with the Commonwealth for a period of five (5) years from the date on which such a payment is revealed to the Executive Branch Ethics Commission. Violation is a Class D felony.

### **Who is an Employer of an EAL?**

An *employer* means any *person* who employs or engages an executive agency lobbyist.

- A “person” is defined as an individual, proprietorship, firm, partnership, joint venture, joint stock company, syndicate, business, trust, estate, company, corporation, association, club, committee, organization, or group of persons acting in concert.

### **What is a Real Party in Interest?**

A ***Real Party in Interest*** is the person or organization on whose behalf the EAL is acting, if that person is not the employer.

- For example, if the ABC Corporation engages XYZ Consulting Company which, in turn, hires John Smith to influence decisions or conduct executive agency lobbying on behalf of ABC Corporation: (a) John Smith is the EAL; (b) XYZ Consulting Company is the “employer;” and (c) ABC Corporation is the “real party in interest.”

### **Who is exempt from filing?**

- 1) Unpaid lobbyists.
- 2) A person who is attempting to influence a decision of an executive agency **that does not involve** the expenditure of state funds or the award of a contract, grant, lease, or other financial arrangement under which such funds are distributed or allocated.
- 3) A person whose job does not include lobbying as a “main purpose.” Example: An engineer for a public utility who sometimes is in contact with state highway officials about moving utility lines, but whose main duties do not include lobbying.
- 4) A person whose state contacts do not involve “substantial” state spending. Decisions involving state spending of less than \$5,000 per year are not considered “substantial.”
- 5) A firm or individual merely submitting a bid or responding to a Request for Proposal for a contract.
- 6) A person whose contacts with state officials are for the sole purpose of gathering information contained in a public record. Example: A businessman who seeks a fuller explanation of bidding specifications but makes no effort to change or otherwise influence a state decision on the bids.
- 7) News, editorial, and advertising statements published in newspapers, journals, or magazines, or broadcast over radio or television;
- 8) The gathering and furnishing of information and news by bona fide reporters, correspondents, or news bureaus to news media;
- 9) Publications primarily designed for, and distributed to, members of bona fide associations or charitable or fraternal nonprofit corporations;
- 10) Professional services in preparing executive agency decisions, preparing arguments regarding executive agency decisions, or in advising clients and rendering opinions regarding proposed or pending executive agency decisions, if the services are not otherwise connected to lobbying; or
- 11) Public comments submitted to an executive agency during the public comment period on administrative regulations or rules;
- 12) A person whose lobbying is done only during appearances before public meetings of executive agencies.
- 13) A person whose contacts are limited to those employees whose official duties do not include policy formulation, administrative or supervisory authority, or expenditure authorization. To be considered lobbying, contacts must be with: an elected official; a cabinet secretary; officials whose principal duties are to make policy or participate in the preparation or award of state contracts or other financial arrangements, or the staff of any of the above officials. (See KRS 11A.201(9), (10) and (14) for complete details.)
- 14) Officers or employees of federal, state or local governments or of state colleges and universities when acting within their official duties.
- 15) Persons exercising their constitutional right to assemble with others for their common good and petition state executive branch agencies for redress of grievances.

- 16) Persons acting to promote, oppose or otherwise influence the outcome of a decision of the Cabinet for Economic Development or any board or authority within or attached to the Cabinet relating to the issuance or award of a bond, grant, lease, loan, assessment, incentive inducement, or tax credit pursuant to KRS 42.4588, 103.210, Chapter 154 or Chapter 224A, or otherwise relating to another component of an economic incentive package.

### **Registration Fee**

Each Employer of one or more lobbyists, and each Real Party in Interest, must pay a registration fee of **\$750** upon the filing of an **Updated Registration Statement** due by **July 31** each year.

### **When should the EAL register?**

Each EAL, employer, and, if applicable, real party in interest, is required to file, jointly, an Initial Registration Statement **within ten (10) days** of the engagement of the EAL.

### **How to register?**

File an Initial Registration Statement with the Ethics Commission. The Initial Registration Statement can be filed electronically or can be downloaded from the Ethics Commission's website and completed and **delivered by email, fax, mail, or hand-delivery** to the Ethics Commission's office. Do not send fee payment at this time.

### **How long is a registration valid?**

After the Statement is processed, the EAL will be issued a registration card by the Ethics Commission effective from the date of its issuance until the proceeding July 31. Until an EAL files a Termination Notification with the Ethics Commission, the lobbyist and his/her employer and real party interest are considered "active" and are required to file Updated Registration Statements between July 1 through July 31 of each year. A reporting year runs from July 1 through June 30. Updated Registration Statements are due between July 1 and July 31 for the previous reporting period. Updated Registration Statements filed before July 1 will be rejected.

### **Are the Forms Audited?**

The lobbyist filing forms are audited and compared with the Statements of Financial Disclosures filed by Executive Branch Officers. If there are discrepancies between the filings, for instance the officer indicated a gift valuing over \$200 from a lobbyist and the lobbyist did not disclose the expenditure on his or her update filed with the Ethics Commission, the Ethics Commission may open an investigation pursuant to KRS 11A.080 and any penalties may apply under KRS 11A.100 and KRS 11A.990.

### **What are the Penalties?**

- Any executive agency lobbyist, employer, or real party in interest who violates any provision in KRS 11A.206 shall for the first violation be subject to a civil penalty not to exceed \$5,000. For the second and each subsequent violation, he shall be guilty of a Class D felony.
- Any executive agency lobbyist, employer, or real party in interest who fails to file the initial registration statement or updated registration statement required by KRS 11A.211 or 11A.216, or who fails to remedy a deficiency in any filing in a timely manner, may be fined by the Ethics Commission an amount not to exceed \$100 per day, up to a maximum total fine of \$1,000.

- Any executive agency lobbyist, employer, or real party in interest who intentionally fails to register, or who intentionally files an initial registration statement or updated registration statement required by KRS 11A.211 or 11A.216 which he knows to contain false information or to omit required information shall be guilty of a Class D felony.
- An executive agency lobbyist, employer, or real party in interest who files a false statement of expenditures or details of a financial transaction under KRS 11A.221 or 11A.226 is liable in a civil action to any official or employee who sustains damage as a result of the filing or publication of the statement.

EALs, Employers, and real parties in interest registered with the Ethics Commission must update their registration between July 1-31 of each year and report to the Ethics Commission annually any expenditures made to or on behalf of an executive branch employee for activities during the previous fiscal year. In addition, executive agency lobbyists, employers and real parties in interest are required to report any financial transactions with or for the benefit of an executive branch employee. A copy of the required expenditure or financial transaction statement must be sent to the official or employee who is named by the executive agency lobbyist at least ten days prior to the date it is filed with the Ethics Commission. EALs are required to identify on their registration statements the type of industry that they represent.

Information explaining the requirements for executive agency lobbyists has been published in an *Executive Agency Lobbying Handbook* that is available on the Ethics Commission's website at <http://ethics.ky.gov/> to lobbyists, their employers, or other interested persons. Included in the *Handbook* are the registration forms required to be filed. Training is also available online. The Ethics Commission also conducts one-on-one training with new EALs upon request.

KRS 11A.241(1) requires that the Commission computerize registration statements so that the information contained in them is fully transparent and readily accessible to the general public. To fully comply with those statutory requirements, during the 2022-23 fiscal year the Executive Branch Ethics Commission sought funding for an up-to-date computer system for lobbyist registration and reporting. Currently reports are hand prepared by Commission staff. EBEC has secured a Legacy grant from funds provided to the executive branch and authorization from the Legislature to raise its fees to fully fund this project. The electronic system will go live in February 2026.

The table below shows the type of industries represented as of June 30, 2024, and June 30, 2025.

<b>TYPE OF INDUSTRY</b>	<b>2023-2024</b>		<b>2024-2025</b>	
	<b>NUMBER OF LOBBYISTS</b>	<b>NUMBER OF EMPLOYERS</b>	<b>NUMBER OF LOBBYISTS</b>	<b>NUMBER OF EMPLOYERS</b>
Advertising/Media/Public Relations	16	5	16	5
Advocacy/ Non-Profit/Social Services	184	48	192	56
Agriculture/Equine/Tobacco	63	19	64	20
Architects/Construction/Engineers	150	35	162	35
Arts/Tourism	43	11	38	9
Criminal Justice/Corrections/Public Safety	53	22	55	21
Economic Development/Manufacturing/Retail	181	56	187	55
Education/Workforce Training	140	49	183	59
Entertainment/Gaming /Hospitality/Alcohol Industry	96	31	110	33
Environmental Protection & Services/Energy Efficiency	32	22	46	26
Financial Services/Insurance/ Investments	368	155	369	156
Health Care/Pharmaceuticals/Bio Tech	462	164	486	175
Legal/Law Firm/Consulting	6	1	6	1
Local Government	37	12	39	11
Minerals/Petroleum/Utilities/Energy	110	47	90	30
Technology/Broadband/Data Analysis	223	71	217	62
Transportation/Shipping	92	34	101	35
<b>TOTAL<sup>1</sup></b>	<b>2256</b>	<b>782</b>	<b>2361</b>	<b>789</b>

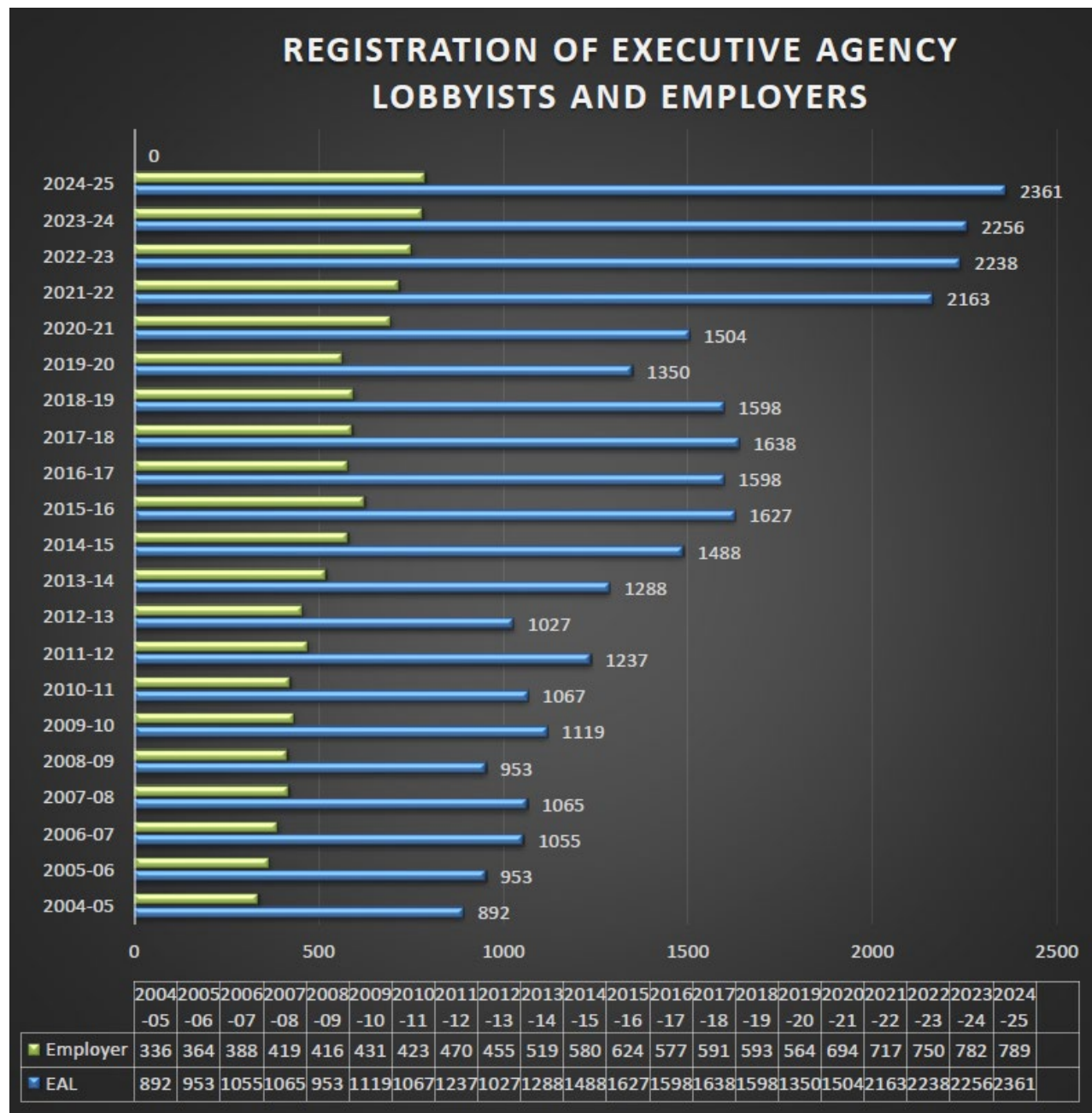
The Ethics Commission maintains all registration statements filed by EALs, employers, and real parties in interest. The statements are open records subject to inspection by the public. In addition, all statement information is maintained on a database so that such information may be cross-referenced between EALs, employer, and real party in interest and is available to the public. As of June 30, 2024, 2256 EALs

<sup>1</sup> These numbers represent the total number of industries that the EALs, Employers, and Real Parties in Interest represent or for which they are actively engaged in lobbying. For example, one lobbyist may be involved in representing multiple types of industries.



representing 782 employers/real parties were registered with the Ethics Commission; on June 30, 2025, 2361 EALs representing 789 employers were registered.

A comparison of registered lobbyists and employers for the past 20 years is shown below.



## **ENFORCEMENT ACTION**

Any EALs, employer or real party in interest who fails to file an initial or updated registration statement or, in the case of an employer or real party in interest, fails to pay the \$750 registration fee as required by the lobbying laws may be fined by the Ethics Commission an amount not to exceed \$100 per day, up to a maximum fine of \$1,000. During fiscal years 2023-24 and 2024-25, the Ethics Commission levied no fines for the failure to file timely statements or pay the \$750 registration fee.









# PUBLIC INFORMATION

## MEETINGS







The Ethics Commission holds bi-monthly meetings to consider advisory opinion requests, conduct business, and issue orders related to administrative proceedings. Discussions of investigations and litigation reviews are conducted in closed, executive session. Notice of Open Meetings is posted on the EBEC website pursuant to Kentucky's Open Records Law, KRS 61.810. The public is welcome to attend the open meeting in person or to attend by Zoom, also posted on the EBEC website.

## PUBLIC RECORDS

The Ethics Commission keeps on file many documents that are public record and are available for public inspection during normal business hours (8:00 a.m. to 4:30 p.m.) on regular state workdays.

-  Financial Disclosure Statements  
Filed by elected officials, officers, and candidates for office within the executive branch.
-  Administrative Proceedings Case Files  
Maintained on all administrative actions taken by the Ethics Commission
-  Commission Meeting Minutes (open session only)
-  Executive Agency Lobbyist, Employer, and Real Party in Interest Registrations
-  Executive Agency Lobbyist Listings
-  Economic Development Incentive Disclosure Statements
-  Gift Disclosure Statements
-  Outside Employment Reports

## EDUCATIONAL MATERIALS-

-  *Biennial Reports*
-  *Guide to the Executive Branch Code of Ethics*
-  *Advisory Opinions*
-  *Executive Agency Lobbying Handbook*
-  *Ethics Officer Guide*
-  Brochures:
  - *Acceptance of Gifts*
  - *Post-Employment*
  - *Political Activities*
  - *Ethical Guidelines for Boards and Commission Members*
  - *Executive Branch Ethics Commission (general information)*
  - *Leaving State Government*
  - *Political Activities*
  - *A Quick Reference for the Public*

# **COMMONWEALTH OF KENTUCKY**

## **EXECUTIVE BRANCH ETHICS COMMISSION**

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