

1 AN ACT relating to technology in education and declaring an emergency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 156 IS CREATED TO
4 READ AS FOLLOWS:

5 **(1) The General Assembly hereby finds and declares that:**

6 **(a) The development and use of emerging technologies are critical to securing**
7 **the future economic and general welfare of the Commonwealth;**

8 **(b) The development of the emerging technology of artificial intelligence**
9 **presents an opportunity for the Commonwealth to move ahead of other**
10 **states and compete internationally in numerous economic fields;**

11 **(c) In order to best leverage the opportunity provided by the development of**
12 **artificial intelligence, the Commonwealth must have a coordinated plan to**
13 **encourage the implementation of artificial intelligence in the state's public**
14 **school systems and monitor its impact; and**

15 **(d) The plan must have a statutory framework provided by the General**
16 **Assembly.**

17 **(2) The Artificial Intelligence in Kentucky's Schools project is hereby established to**
18 **be supervised by the Kentucky Department of Education to provide for the**
19 **implementation and monitoring of artificial intelligence in the Commonwealth's**
20 **public schools. The department shall seek the advice of the Council for Education**
21 **Technology established under Section 4 of this Act in implementing this section.**

22 **(3) By July 1, 2024, the Kentucky Department of Education shall establish**
23 **recommended initial guidelines for:**

24 **(a) The use of artificial intelligence in school administration;**

25 **(b) The use of artificial intelligence in instruction and classroom management;**

26 **(c) The inclusion of artificial intelligence in academic standards;**

27 **(d) School and local board policies addressing the use of artificial intelligence**

1 by students and staff; and

2 (e) The inclusion of artificial intelligence in the standards of teacher
3 preparation programs.

4 (4) Guidelines required under subsection (3) of this section shall be updated every six
5 (6) months for the duration of the project.

6 (5) By July 1, 2024, the department shall seek advice and recommendations from the
7 Council for Education Technology for implementing the use of artificial
8 intelligence in the department's operations.

9 (6) By August 1, 2024, the Kentucky Department of Education shall update the
10 master plan required under Section 4 of this Act to reflect the emerging
11 technology of artificial intelligence and the initial recommended guidelines
12 required under subsection (3) of this section. The department shall further update
13 the master plan as provided in Section 4 of this Act.

14 (7) (a) By July 1, 2024, the Kentucky Department of Education shall design four
15 (4) different one (1) hour trainings relating to artificial intelligence with the
16 purpose of providing professional development to teachers, school
17 administrators, and district administrators. The fourth training shall be
18 designed for local board and school council members.

19 (b) The professional development shall include basic information on artificial
20 intelligence, the dangers and benefits of artificial intelligence, and how it
21 may be used responsibly in the professional setting. The training designed
22 for teachers shall include strategies for using artificial intelligence in
23 instructional activities.

24 (c) Starting with the 2024-2025 school year, each certified school employee
25 shall complete one (1) of the annual trainings established in this subsection.
26 A school district or school council may use the training toward satisfying
27 the requirements of KRS 156.095.

- 1 (d) Starting with the 2024-2025 school year, each member of a school council
2 or a school board shall complete the annual training for those members. A
3 local board or school council member may use the training to satisfy the
4 local board training requirements under KRS 160.180 and school council
5 training requirements under KRS 160.345.
- 6 (8) The department shall annually update the trainings and materials required in
7 subsection (7) of this section to reflect changes in artificial intelligence and other
8 emerging technologies. The department shall make the materials and information
9 developed for the trainings designed under subsection (7) of this section available
10 for use by Kentucky's nonpublic schools. However, no state or local funds shall
11 be used to provide the trainings to nonpublic schools.
- 12 (9) By August 1, 2024, each school district shall implement policies and procedures
13 for the appropriate inclusion of artificial intelligence in school instruction. The
14 policies shall include any necessary updates to the code of acceptable behavior
15 and discipline required under KRS 158.148. The district superintendent shall
16 establish a local advisory group to assist the district in implementing the
17 provisions of this section.
- 18 (10) By June 30 of each year, each school district shall submit a report to the
19 department outlining:
- 20 (a) The district's use of artificial intelligence in the administrative operations of
21 the district, including any services purchased or contracted for that utilize
22 artificial intelligence;
- 23 (b) The district's efforts to teach students about and how to use artificial
24 intelligence; and
- 25 (c) Teachers' use of artificial intelligence in the process of teaching.
- 26 (11) By June 30 of each year, the department shall request the information outlined in
27 subsection (10) of this section from the private, parochial, and church schools

1 that are certified under KRS 156.160(3), but those schools shall not be required to
2 respond.

3 (12) By September 1 of each year, the department shall compile the reports collected
4 under subsections (10) and (11) and submit a statewide report with analysis and
5 recommendations to the Legislative Research commission for referral to the
6 Interim Joint Committee on Education and the Legislative Oversight and
7 Investigations Committee. The report shall also include a summary of the use of
8 artificial intelligence in the department's operations.

9 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
10 READ AS FOLLOWS:

11 (1) The General Assembly hereby finds and declares that in addition to the finding
12 outlined in Section 1 of this Act, it is necessary to align and monitor the state's
13 postsecondary institution's efforts on artificial intelligence to maximize the
14 opportunities provided by this emerging technology.

15 (2) The Artificial Intelligence in Higher Education project is hereby established to be
16 implemented by the state's postsecondary institutions and monitored by the
17 Council on Postsecondary Education.

18 (3) The Council on Postsecondary Education shall establish an Artificial Intelligence
19 Working Group to examine and provide advice and information to the state's
20 postsecondary institutions as it relates to the use of artificial intelligence in the
21 administration of the institutions and the use of the technology in education. The
22 working group shall have membership representing public and private
23 postsecondary institutions, members with instructional experience, and members
24 with expertise in computer networks, computer security, programming, and
25 artificial intelligence. The working group shall also provide advice to the council
26 on implementing the use of artificial intelligence in the council's operations.

27 (4) By July 1, 2024, the Council for Postsecondary Education shall develop

1 recommended guidelines for the use of artificial intelligence in postsecondary
2 education, including the operations of postsecondary institutions. The
3 recommended guidelines shall be updated every six (6) months.

4 (5) Each public postsecondary institution and each institution licensed by the
5 Council on Postsecondary Education shall establish institution-level working
6 groups to develop recommendations to the institution's governing board for the
7 institution's use of artificial intelligence, the use of the technology in education,
8 and to monitor any research at the institution that has the purpose of developing
9 artificial intelligence. If the institution provides health care, the use of artificial
10 intelligence in providing health care shall be addressed by the institution-level
11 working group. Each institution shall maintain artificial intelligence policies to
12 ensure the responsible use of the technology.

13 (6) By June 30 of each year, each public postsecondary institution and each
14 institution licensed by the Council on Postsecondary Education shall submit a
15 report to the Council on Postsecondary Education outlining:

16 (a) How the institution is utilizing artificial intelligence in the administrative
17 operations of the institution, including any services purchased or contracted
18 for utilizing artificial intelligence;

19 (b) How the institution is ensuring students are learning about and how to use
20 artificial intelligence;

21 (c) How the institution's faculty are using artificial intelligence in the process
22 of teaching;

23 (d) Research conducted at the institution to develop artificial intelligence; and

24 (e) If the institution provides health care services, how the institution is using
25 artificial intelligence to provide those services.

26 (7) By September 1 of each year, the Council on Postsecondary Education shall
27 compile the institution reports and submit a statewide report with analysis and

recommendations to the Legislative Research Commission for referral to the Interim Joint Committee on Education and the Legislative Oversight and Investigations Committee. The report shall also include a summary of the use of artificial intelligence in the council's operations.

➔Section 3. KRS 156.660 is amended to read as follows:

As used in KRS 156.660 to 156.670 and KRS 168.015, unless the context indicates otherwise:

(1) "Council" means the Council for Education Technology; ~~and~~.]

(2) "Technology" includes, but is not limited to, computers, computer programming, artificial intelligence, telecommunications, cable television, interactive video, film, low-power television, satellite communications, and microwave communications.

➔Section 4. KRS 156.670 is amended to read as follows:

(1) The Kentucky Department of Education shall establish a Council for Education Technology to assist in the development of the master plan. The council shall consist of professionals selected from school district superintendents, principals, teachers, and district technology coordinators. The council shall also have members with expertise in computer networks, computer security, programming, and artificial intelligence. The Kentucky Board of Education and the Education Professional Standards Board shall each select one (1) member from the respective boards to participate on the council.

~~(2)(1)~~ The Council for Education Technology shall assist the department in developing~~develop~~ the master plan for education technology and submit the plan to the Kentucky Board of Education ~~and the Legislative Research Commission~~ for approval. The approved plan shall be reported to the Legislative Research Commission. Implementation of each stage of the master plan shall begin immediately upon approval of the board~~and the Legislative Research Commission~~. The plan shall outline the Commonwealth's five (5) year activities

1 related to purchasing, developing, and using technology to:

- 2 (a) Improve learning and teaching and the ability to meet individual students'
3 needs to increase student achievement;
4 (b) Improve curriculum delivery to help meet the needs for educational equity
5 across the state;
6 (c) Improve delivery of professional development;
7 (d) Improve the efficiency and productivity of administrators; and
8 (e) Encourage development by the private sector and acquisition by districts of
9 technologies and applications appropriate for education.

10 ~~(3)~~~~(2)~~ The five (5) year plan shall cover all aspects of education technology,
11 including but not limited to, its use in educational instruction and administration,
12 video and computer systems, software and hardware, multiple delivery systems for
13 satellite, microwave, cable, instructional television fixed service, fiber optic, and
14 computer connections products, the preparation of school buildings for
15 technological readiness, and the development of staff necessary to implement the
16 plan.

17 ~~(4)~~~~(3)~~ The five (5) year plan shall include specific recommendations to the Kentucky
18 Board of Education for the adoption of administrative regulations to:

19 (a) Establish guidelines for the implementation and use of emerging
20 technologies, such as artificial intelligence, at both the state and district
21 level and in both administrative and classroom settings that:

- 22 1. Promotes data security that is compliant with both the Federal
23 Education Rights and Privacy Act of 1974, as amended, and KRS
24 160.700 to 160.730;
25 2. Discourages the unethical use of emerging technologies; and
26 3. Establishes a process for the department to identify secure and
27 appropriate emerging technologies products for school district use;

1 and

2 **(b)** Establish and implement a uniform and integrated system of standards and
3 guidelines for financial accounting and reporting which shall be used by all
4 school districts.

5 ~~**(5)**~~~~**(4)**~~ The integrated technology-based communications system shall provide
6 comprehensive, current, accurate, and accessible information relating to
7 management, finance, operations, instruction, and pupil programs which are under
8 the jurisdiction of the Department of Education.

9 ~~**(6)**~~~~**(5)**~~ To facilitate communication among teachers, parents, students, and
10 prospective employers of students, and to provide access to many vital
11 technological services, the five (5) year plan shall include the installation of a
12 telephone in each classroom.

13 ~~**(7)**~~~~**(6)**~~ In designing and implementing the five (5) year plan, the council shall
14 consider seeking the active participation of private organizations whose knowledge
15 and assistance will be useful.

16 ~~**(8)**~~~~**(7)**~~ The **department, with the advice of the** council, shall update as necessary the
17 plan developed under subsection (2) of this section and report to the Legislative
18 Research Commission at the completion of each implementation phase of the
19 master plan.

20 ~~**(9)**~~~~**(8)**~~ **In developing the five (5) year plan, the council shall also develop**
21 **recommendations relating to emerging fields of technology and computer science,**
22 **including artificial intelligence. These recommendations shall include necessary**
23 **amendments to related academic standards and changes to standards for teacher**
24 **preparation programs.** The council shall submit its recommendations to the
25 Kentucky Board of Education **or the Education Professional Standards Board for**
26 **consideration**~~, which shall accept the recommendations, or return them to the~~
27 ~~council along with suggestions for changes to make the recommendations~~

consistent with the policies of the Kentucky Board of Education].

➔SECTION 5. A NEW SECTION OF KRS CHAPTER 156 IS CREATED TO
READ AS FOLLOWS:

(1) The Kentucky Board of Education, after consulting with the Council for Education Technology established in Section 4 of this Act, shall establish academic standards relating to instruction in computer science and the use of technology. The standards shall address the development and use of emerging technologies, including artificial intelligence.

(2) The Kentucky Department of Education, with the advice of the Council for Education Technology, shall develop emerging technology guidelines to assist school districts and local schools in developing curriculum to implement the academic standards, including the development and use of artificial intelligence.

➔Section 6. KRS 161.028 is amended to read as follows:

(1) The Education Professional Standards Board is recognized to be a public body corporate and politic and an agency and instrumentality of the Commonwealth, in the performance of essential governmental functions. The Education Professional Standards Board has the authority and responsibility to:

(a) Establish standards and requirements for obtaining and maintaining a teaching certificate;

(b) Set standards for, approve, and evaluate college, university, and school district programs for the preparation of teachers and other professional school personnel. College or university programs may be approved by the board for a college or university with regional institutional level accreditation or national institutional level accreditation that is recognized by the United States Department of Education and is eligible to receive federal funding under 20 U.S.C. secs. 1061 to 1063. Program standards shall reflect national standards and shall address, at a minimum, the following:

- 1 1. The alignment of programs with the state's core content for assessment
- 2 as defined in KRS 158.6457;
- 3 2. Research-based classroom practices, including effective classroom
- 4 management techniques;
- 5 3. Emphasis on subject matter competency of teacher education students;
- 6 4. Methodologies to meet diverse educational needs of all students;
- 7 5. The consistency and quality of classroom and field experiences,
- 8 including early practicums and student teaching experiences;
- 9 6. *With the advice of the Council for Education Technology under*
- 10 *Section 4 of this Act, the use of technology in education and school*
- 11 *administration, including artificial intelligence and other emerging*
- 12 *technologies;*
- 13 ~~7.~~ The amount of college-wide or university-wide involvement and support
- 14 during the preparation as well as the induction of new teachers;
- 15 ~~8.~~~~[7.]~~ The diversity of faculty;
- 16 ~~9.~~~~[8.]~~ The effectiveness of partnerships with local school districts; and
- 17 ~~10.~~~~[9.]~~ The performance of graduates on various measures as determined
- 18 by the board;
- 19 (c) Conduct an annual review of diversity in teacher preparation programs;
- 20 (d) Provide assistance to universities and colleges in addressing diversity, which
- 21 may include researching successful strategies and disseminating the
- 22 information, encouraging the development of nontraditional avenues of
- 23 recruitment and providing incentives, waiving administrative regulations
- 24 when needed, and other assistance as deemed necessary;
- 25 (e) Discontinue approval of programs that do not meet standards or whose
- 26 graduates do not perform according to criteria set by the board;
- 27 (f) Issue, renew, revoke, suspend, or refuse to issue or renew; impose

- 1 probationary or supervisory conditions upon; issue a written reprimand or
2 admonishment; or any combination of actions regarding any certificate;
- 3 (g) Develop specific guidelines to follow upon receipt of an allegation of sexual
4 misconduct by an employee certified by the Education Professional Standards
5 Board. The guidelines shall include investigation, inquiry, and hearing
6 procedures which ensure the process does not revictimize the alleged victim
7 or cause harm if an employee is falsely accused;
- 8 (h) Receive, along with investigators hired by the Education Professional
9 Standards Board, training on the dynamics of sexual misconduct of
10 professionals, including the nature of this abuse of authority, characteristics of
11 the offender, the impact on the victim, the possibility and the impact of false
12 accusations, investigative procedures in sex offense cases, and effective
13 intervention with victims and offenders;
- 14 (i) Recommend to the Kentucky Board of Education the essential data elements
15 relating to teacher preparation and certification, teacher supply and demand,
16 teacher attrition, teacher diversity, and employment trends to be included in a
17 state comprehensive data and information system and periodically report data
18 to the Interim Joint Committee on Education;
- 19 (j) Submit reports to the Governor and the Legislative Research Commission and
20 inform the public on the status of teaching in Kentucky;
- 21 (k) Devise a credentialing system that provides alternative routes to gaining
22 certification and greater flexibility in staffing local schools while maintaining
23 standards for teacher competence;
- 24 (l) Develop a professional code of ethics;
- 25 (m) Charge reasonable fees for the issuance, reissuance, and renewal of
26 certificates that are established by administrative regulation. The proceeds
27 shall be used to meet a portion of the costs of the issuance, reissuance, and

- 1 renewal of certificates, and the costs associated with disciplinary action
2 against a certificate holder under KRS 161.120;
- 3 (n) Waive a requirement that may be established in an administrative regulation
4 promulgated by the board. A request for a waiver shall be submitted to the
5 board, in writing, by an applicant for certification, a postsecondary institution,
6 or a superintendent of a local school district, with appropriate justification for
7 the waiver. The board may approve the request if the person or institution
8 seeking the waiver has demonstrated extraordinary circumstances justifying
9 the waiver. Any waiver granted under this subsection shall be subject to
10 revocation if the person or institution falsifies information or subsequently
11 fails to meet the intent of the waiver;
- 12 (o) Promote the development of one (1) or more innovative, nontraditional or
13 alternative administrator or teacher preparation programs through public or
14 private colleges or universities, private contractors, the Department of
15 Education, or the Kentucky Commonwealth Virtual University and waive
16 administrative regulations if needed in order to implement the program;
- 17 (p) Grant approval, if appropriate, of a university's request for an alternative
18 program that enrolls an administrator candidate in a postbaccalaureate
19 administrator preparation program concurrently with employment as an
20 assistant principal, principal, assistant superintendent, or superintendent in a
21 local school district. An administrator candidate in the alternative program
22 shall be granted a temporary provisional certificate and shall be a candidate in
23 the Kentucky Principal Internship Program, notwithstanding provisions of
24 KRS 161.030, or the Superintendent's Assessment process, notwithstanding
25 provisions of KRS 156.111, as appropriate. The temporary certificate shall be
26 valid for a maximum of two (2) years, and shall be contingent upon the
27 candidate's continued enrollment in the preparation program and compliance

- 1 with all requirements established by the board. A professional certificate shall
2 be issued upon the candidate's successful completion of the program,
3 internship requirements, and assessments as required by the board;
- 4 (q) Employ consultants as needed;
- 5 (r) Enter into contracts. Disbursements to professional educators who receive less
6 than one thousand dollars (\$1,000) in compensation per fiscal year from the
7 board for serving on an assessment validation panel or as a test scorer or
8 proctor shall not be subject to KRS 45A.690 to 45A.725;
- 9 (s) Sponsor studies, conduct research, conduct conferences, and publish
10 information as appropriate; and
- 11 (t) Issue orders as necessary in any administrative action before the board.
- 12 (2) (a) The board shall be composed of seventeen (17) members. The secretary of the
13 Education and Labor Cabinet and the president of the Council on
14 Postsecondary Education, or their designees, shall serve as ex officio voting
15 members. The Governor shall make the following fifteen (15) appointments:
- 16 1. Nine (9) members who shall be teachers representative of elementary,
17 middle or junior high, secondary, special education, and secondary
18 vocational classrooms;
- 19 2. Two (2) members who shall be school administrators, one (1) of whom
20 shall be a school principal;
- 21 3. One (1) member representative of local boards of education; and
- 22 4. Three (3) members representative of postsecondary institutions, two (2)
23 of whom shall be deans of colleges of education at public universities
24 and one (1) of whom shall be the chief academic officer of an
25 independent not-for-profit college or university.
- 26 (b) The members appointed by the Governor shall be confirmed by the Senate
27 under KRS 11.160. If the General Assembly is not in session at the time of the

1 appointment, persons appointed shall serve prior to confirmation, but the
2 Governor shall seek the consent of the Senate at the next regular session or at
3 an intervening extraordinary session if the matter is included in the call of the
4 General Assembly.

5 (c) Each appointed member shall serve a three (3) year term. A vacancy on the
6 board shall be filled in the same manner as the original appointment within
7 sixty (60) days after it occurs. A member shall continue to serve until his or
8 her successor is named. Any member who, through change of employment
9 status or residence, or for other reasons, no longer meets the criteria for the
10 position to which he or she was appointed shall no longer be eligible to serve
11 in that position.

12 (d) Members of the board shall serve without compensation but shall be permitted
13 to attend board meetings and perform other board business without loss of
14 income or other benefits.

15 (e) A state agency or any political subdivision of the state, including a school
16 district, required to hire a substitute for a member of the board who is absent
17 from the member's place of employment while performing board business
18 shall be reimbursed by the board for the actual amount of any costs incurred.

19 (f) A chairman shall be elected by and from the membership. A member shall be
20 eligible to serve no more than three (3) one (1) year terms in succession as
21 chairman. Regular meetings shall be held at least semiannually on call of the
22 chairman.

23 (g) The commissioner of education shall serve as executive secretary to the board
24 and may designate staff to facilitate his or her duties.

25 (h) To carry out the functions relating to its duties and responsibilities, the board
26 is empowered to receive donations and grants of funds; to appoint consultants
27 as needed; and to sponsor studies, conduct conferences, and publish

1 information.

2 ➔Section 7. KRS 157.615 is amended to read as follows:

3 As used in KRS 157.611 to 157.640, unless the context requires otherwise:

- 4 (1) "Available local revenue" means the sum of the school building fund account
5 balance; the bonding potential of the capital outlay and building funds; and the
6 capital outlay fund account balance on June 30 of odd-numbered years. These
7 accounts shall be as defined in the manual for Kentucky school financial accounting
8 systems;
- 9 (2) "Board of education" means the governing body of a county school district or an
10 independent school district;
- 11 (3) "Bonds" or "bonds of the commission" means bonds issued by the commission, or
12 issued by a city, county, or other agency or instrumentality of the Board of
13 Education, in accordance with KRS Chapter 162, payable as to principal and
14 interest from rentals received from a board of education or from the department
15 pursuant to a lease or from contributions from the commission, and constitute
16 municipal bonds exempt from taxation under the Constitution of the
17 Commonwealth;
- 18 (4) "Department" means the State Department of Education;
- 19 (5) "District technology plan" means the plan developed by the local district and the
20 Department of Education and approved by the Kentucky Board of Education after
21 consulting with ~~upon the recommendation of~~ the Council for Education
22 Technology;
- 23 (6) "Equivalent tax rate" means the rate which results when the income from all taxes
24 levied by the district for school purposes is divided by the total assessed value of
25 property plus the assessment for motor vehicles certified by the Department of
26 Revenue as provided by KRS 160.470;
- 27 (7) "Kentucky Education Technology System" means the statewide system set forth in

- 1 the technology master plan issued by the Kentucky Board of Education after
2 consulting with~~[with the recommendation of]~~ the Council for Education
3 Technology~~[and approved by the Legislative Research Commission]~~;
- 4 (8) "Lease" or "lease instrument" means a written instrument for the leasing of one (1)
5 or more school projects executed by the commission as lessor and a board of
6 education as lessee, or executed by the commission as lessor and the department as
7 lessee, as the case may be;
- 8 (9) "Lease/purchase agreement" means a lease between the school district or the
9 department and a vendor that includes an option to purchase the technology
10 equipment or software at the end of the lease period;
- 11 (10) "Percentage discount" means the degree to which the commission will participate in
12 meeting the bond and interest redemption schedule required to amortize bonds
13 issued by the commission on behalf of a local school district;
- 14 (11) "Project" means a defined item of need to construct new facilities or to provide
15 major renovation of existing facilities which is identified on the priority schedule of
16 the approved school facilities plan;
- 17 (12) "School facilities plan" means the plan developed pursuant to the survey specified
18 by KRS 157.420 and by administrative regulations of the Kentucky Board of
19 Education;
- 20 (13) "Technology master plan" means the long-range plan required by Section 4 of this
21 Act for the implementation of the Kentucky Education Technology System as
22 developed after consulting with~~[by]~~ the Council for Education Technology and
23 approved by the Kentucky Board of Education~~[and the Legislative Research~~
24 ~~Commission]~~;
- 25 (14) "Unmet facilities need" means the total cost of new construction and major
26 renovation needs as shown by the approved school facilities plan less any available
27 local revenue;

1 (15) "Unmet technology need" means the total cost of technology need as shown by the
2 approved technology plan of the local district; and

3 (16) "Eligible district" means any local school district having an unmet facilities need, as
4 defined in this section, in excess of one hundred thousand dollars (\$100,000) or a
5 district qualifying for education technology funding.

6 ➔Section 8. Due to critical nature of the impact artificial intelligence will have on
7 Kentucky's education systems and the importance of implementing a statewide strategy to
8 maximize the opportunity provided by artificial intelligence and other emerging
9 technologies, an emergency is declared to exist, and this Act takes effect upon its passage
10 and approval by the Governor or upon its otherwise becoming a law.