

General Assembly Action 2014 Regular Session

Informational Bulletin No. 244

Legislative Research Commission
Frankfort, Kentucky

May 2014

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A Staff Summary of Legislative Enactments

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Foreword

The 2014 Regular Session of the General Assembly convened Tuesday, January 7, 2014, and adjourned *sine die* Tuesday, April 15, 2014, having met for 59 legislative days. During the session, 820 bills and 661 resolutions were introduced, including 240 Senate bills and 580 House bills.

Of the bills introduced, 51 Senate bills and 89 House bills passed both chambers and were delivered to the Governor. The Governor vetoed one House bill and exercised his line-item veto authority in three other House bills. Therefore, a total of 51 Senate bills and 88 House bills became law.

The Governor also received six joint and concurrent resolutions.

This informational bulletin summarizes the bills and resolutions that were delivered to the Governor. It was prepared by the staff of the Legislative Research Commission.

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Acting Director

Legislative Research Commission
Frankfort, Kentucky
May 2014

Bill Numbers to Acts Chapters

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 7	2	SB 153	131	HB 154	136	HB 331	92
SB 19	40	SB 158	52	HB 157	6	HB 336	140
SB 20	63	SB 159	68	HB 169	83	HB 337	93
SB 23	21	SB 170	53	HB 170	137	HB 343	94
SB 26	106	SB 176	69	HB 175	28	HB 349	16
SB 28	8	SB 184	70	HB 176	5	HB 354	95
SB 29	24	SB 192	126	HB 179	29	HB 357	59
SB 36	107	SB 199	71	HB 181	4	HB 359	141
SB 41	41	SB 200	132	HB 183	121	HB 364	96
SB 45	62	SB 208	114	HB 189	30	HB 367	17
SB 47	42	SB 213	115	HB 192	7	HB 369	142
SB 49	108	SB 225	72	HB 206	31	HB 375	36
SB 59	43	SB 228	116	HB 208	138	HB 379	37
SB 61	64			HB 211	14	HB 388	18
SB 65	12	SCR 44	54	HB 218	10	HB 396	97
SB 66	109	SCR 102	73	HB 232	84	HB 398	98
SB 70	65			HB 234	32	HB 401	38
SB 74	129	HB 2	133	HB 235	117	HB 405	99
SB 83	22	HB 5	74	HB 236	127	HB 414	60
SB 86	44	HB 17	134	HB 237	139	HB 415	39
SB 91	45	HB 26	55	HB 238	122	HB 430	100
SB 98	110	HB 28	75	HB 246	85	HB 432	101
SB 103	46	HB 47	76	HB 253	123	HB 445	102
SB 105	23	HB 69	9	HB 260	86	HB 448	19
SB 108	130	HB 75	77	HB 264	87	HB 475	20
SB 109	111	HB 78	25	HB 276	33	HB 488	103
SB 113	1	HB 79	78	HB 279	34	HB 493	104
SB 114	13	HB 81	79	HB 281	56	HB 527	124
SB 118	47	HB 84	80	HB 286	11	HB 542	105
SB 122	48	HB 87	26	HB 289	57		
SB 123	49	HB 90	81	HB 291	88	HJR 7	144
SB 124	112	HB 98	3	HB 296	89	HCR 11	143
SB 128	125	HB 99	118	HB 301	128	HJR 19	61
SB 129	50	HB 105	135	HB 314	90	HJR 62	145
SB 138	66	HB 126	119	HB 316	58		
SB 143	51	HB 128	120	HB 318	15		
SB 144	113	HB 133	27	HB 322	91		
SB 150	67	HB 138	82	HB 328	35		

Senate Bills

SB 7

AN ACT relating to nurses.

Creates a new section of KRS Chapter 314 to establish a Collaborative Prescribing Agreement Joint Advisory Committee, set membership of the committee at three advanced practice registered nurses (APRNs) who prescribe nonscheduled legend drugs and three physicians who currently or previously signed a collaborative agreement with an APRN for prescribing nonscheduled legend drugs (CAPA-NS), authorize the committee to recommend items to the nursing and medical boards, including a common CAPA-NS form, establish methods to assist APRNs who need a physician to sign a CAPA-NS in emergency and nonemergency situations, require the committee to forward complaints to the appropriate licensing board without discussing or reviewing any complaint or actions by the practitioner, retain each board's jurisdiction over its licensees and committee members, attach the committee to the nursing board, while each board is responsible for the expenses of its members, and alternate committee meetings between the facilities of the two boards; amends KRS 314.042 to set out specific requirements for a CAPA-NS agreement similar to those already established for controlled substance collaborative agreements, allow an APRN to discontinue or be exempt from the CAPA-NS requirement in limited circumstances after the APRN has prescribed under a CAPA-NS for four years in a certified population focus, clarify that an APRN cannot be required to maintain a CAPA-NS after the four years but may choose to continue a CAPA-NS indefinitely, direct an APRN to notify the nursing board if the APRN will be prescribing without a CAPA-NS, permit an APRN from another state seeking licensure by endorsement to prescribe without a CAPA-NS if that APRN either had a collaborative prescribing agreement with a physician or prescribed independently for at least four years, and require an APRN who has prescribed for less than four years when the new requirements take effect to complete the four years before prescribing without a CAPA-NS.

SB 19

AN ACT relating to the Kentucky Board of Embalmers and Funeral Directors.

Amends KRS 316.170 to increase the amount of compensation members of the Kentucky Board of Embalmers and Funeral Directors may receive to a maximum of \$200 per day, and require the amount to be established in administrative regulation by the board.

SB 20

AN ACT relating to anti-bullying.

Creates a new section in KRS Chapter 2 designating October as Anti-Bullying Month in Kentucky and designating a purple and yellow ribbon as the symbol for anti-bullying awareness.

SB 23

AN ACT relating to the transportation of household goods.

Amends KRS 281.624 to establish procedures for the issuance of household goods certificates and direct the Transportation Cabinet to promulgate administrative regulations; amends KRS 281.625 to exempt applicants for a household goods certificate from notification requirements and the protest process, and require the Transportation Cabinet to issue a certificate

if an applicant satisfies certification requirements; amends KRS 281.630 to delete transporters of household goods from certain certificate requirements; amends KRS 281.620 and 281.650 to establish a \$250 fee for initial certificate and renewal; creates a new section of KRS Chapter 281 to require background checks on employees of household goods certificate holders; directs the Transportation Cabinet to promulgate administrative regulations.

SB 26

AN ACT relating to the Kentucky Thoroughbred development fund and declaring an emergency.

Amends KRS 230.265 to give Kentucky Equine Drug Research Council funding priority to activities in Kentucky but allows funding for activities outside of Kentucky if the council and racing commission determine that the activities will improve Kentucky's racing industry; amends KRS 230.400 to extend payments from the Kentucky thoroughbred development fund to nonclaiming maiden races and allowance optional claiming races and require the Kentucky Horse Racing Commission to establish requirements, conditions, and procedures for awarding payments; EMERGENCY.

SB 28

AN ACT relating to apprenticeship programs.

Amends KRS 343.010 to modify the definitions of "apprentice," "apprenticeship agreement," and "council"; amends KRS 343.020 to include three public members on the Apprenticeship and Training Council; amends KRS 343.050 regarding the requirements for an apprenticeship agreement; amends KRS 343.060 to change certain apprenticeship agreement approval requirements; amends KRS 343.070 to require an informal hearing before the supervisor for dispute resolution; amends KRS 343.080 to conform.

SB 29

AN ACT relating to acupuncture.

Amends various sections of KRS 311.671 to 311.686 to change acupuncture from a certified to a licensed profession.

SB 36

AN ACT relating to the right of redemption.

Amends KRS 426.530 to reduce from one year to six months the time period for the right of redemption of real property sold in pursuance of a judgment or order of a court, other than an execution, if the sale did not bring two-thirds of its appraised value, and in addition to the original purchase money and interest thereon, require a defendant or his or her representative, who wishes to redeem property pursuant to this section to also pay any reasonable costs incurred by the purchaser after the sale for maintenance or repair of the property, including but not limited to utilities expenses, insurance, association fees, taxes, and cost to conform the property to the minimum standards of local nuisance codes and local ordinances.

SB 41

AN ACT relating to physician assistants.

Amends KRS 311.856 to require a supervising physician to review and countersign at least 10 percent of the medical notes written by a physician assistant every 30 days, allow a

physician assistant to execute an order without the countersignature of the supervising physician, and remove the requirement that a supervising physician sign all physician assistant records of service in a timely manner to certify that the physician assistant performed the services as delegated.

SB 45

AN ACT relating to search warrants.

Creates a new section of KRS Chapter 455 to allow the court system to authorize a search warrant to be applied for and issued electronically if the process complies with constitutional and other specified safeguards and requires the production of a paper copy of the warrant at the time of service rather than only if requested by a person subject to the warrant.

SB 47

AN ACT relating to drug-addicted or dependent newborns.

Amends KRS 211.678 to require periodic reporting of public health statistics relating to drug-addicted or dependent newborns.

SB 49

AN ACT relating to youth employment in sports programs and declaring an emergency.

Amends KRS 337.010 to exclude from the definition of gainful employment youth employees aged 12 and up who work as a referee, umpire, or official in a youth sports program, to require that an adult from the youth sports program be present, that the minor officiate for an age bracket younger than the minor referee, and to require a signed document from the youth's parents or guardian to be on file with the youth sports program granting the youth permission to work in that capacity; EMERGENCY.

SB 59

AN ACT relating to motor carrier transportation contracts.

Creates a new section of KRS Chapter 281 to define the terms "motor carrier transportation contract" and "promise," establish that indemnification clauses in motor carrier transportation contracts are void and unenforceable, establish that provisions in motor carrier transportation contracts requiring a motor carrier to procure liability insurance covering the acts or omissions of the promisee are void and unenforceable, and establish that the section not apply to the Uniform Intermodal Interchange and Facilities Access Agreement.

SB 61

AN ACT relating to the licensure of fee-based pastoral counselors.

Amends KRS 202A.400, 210.366, 335.600, 335.605, 335.610, 335.615, 335.620, 335.625, 335.630, 335.635, 335.640, 335.650, 335.699, and 645.020, and KRE 506 to designate "Kentucky licensed" pastoral counselors rather than "certified fee-based" pastoral counselors, authorize a board member whose term has expired to serve until his or her successor is appointed and qualified, allow certificate holders certified before January 1, 2015, to transition to licensure, and prohibit the use of "KLPC" or any similar abbreviation, or holding oneself out as having this status, by anyone except a Kentucky licensed pastoral counselor.

SB 65

AN ACT relating to mental health records.

Amends KRS 210.235 to specify additional conditions under which patient mental health records may be disclosed.

SB 66

AN ACT relating to boating law enforcement.

Amends KRS 235.310 to allow boating enforcement officers to stop or enter upon boats on the waters of the Commonwealth only if the officer has a reasonable and articulable suspicion, based upon specific and articulable facts which, taken together with rational inferences from those facts, demonstrate that a violation of the Kentucky Revised Statutes or an administrative regulation promulgated under KRS Chapter 235 has occurred, require probable cause for any subsequent search, exempt license inspections under KRS 150.090(5) from the reasonable and articulable suspicion and probable cause requirements, and allow the department to conduct periodic inspections of marine sanitation devices according to regular inspection schedules; amends KRS 235.285 to keep the reference to the federal flotation device regulation current even if it is amended or renumbered, replace references to “personal watercraft or motorboat” with references to “vessel,” and replace reference to federal boating navigation rules with reference to boating navigation rules established in KRS Chapter 235 or the administrative regulations promulgated thereunder; creates a new section of KRS Chapter 235 to require the Department of Fish and Wildlife Resources to annually report to the Legislative Research Commission on the training of its law enforcement officers in the areas of enforcement policy and professionalism, and require the report to include any changes made in enforcement practices and interactions with the public during the past year; provides that the Act may be cited as the Boater Freedom Act.

SB 70

AN ACT relating to energy conservation measures for state buildings and property.

Amends KRS 56.770 to clarify definitions for state government buildings and state property related to energy conservation; amends KRS 56.772, 56.774, 56.780, and 42.580 to conform.

SB 74

AN ACT relating to developed properties.

Amends KRS 39A.280 to provide civil liability protections to licensed professional engineers and licensed architects who voluntarily provide professional services at the request of officials during or after a declared emergency, disaster, or catastrophe and if the professional rendering the services acts as an ordinary reasonably prudent member of the profession, and establishes limitations to liability protection; amends KRS 154.26-010 to allow companies with approved economic revitalization projects qualifying for incentives under the Kentucky Industrial Revitalization Act (KIRA) to undertake supplemental projects during or within 24 months following the term of the initial project and to qualify for additional incentives; amends KRS 154.26-080 to establish the requirements for supplemental projects; amends KRS 154.26-090 and KRS 154.26-100 to conform; amends KRS 139.480 to exempt property incorporated into the construction or modification of a blast furnace as part of a KIRA

supplemental project from the state sales and use tax; provides that sales tax exemption provisions are EFFECTIVE August 1, 2014.

SB 83

AN ACT relating to alcoholic beverages.

Amends KRS 241.010 to define “commercial airport,” “cider,” “malt beverage,” and “weak cider”; amends KRS 242.123 to delineate a reference to a special local option election in a city of the second class; amends KRS 243.030 to split the distiller’s license into Class A and Class B licenses; amends KRS 243.033 to clarify that a caterer’s license may be used in limited restaurant moist territory and like an NQ4 drink license; amends KRS 243.050 to make the holder of a license located in a commercial airport eligible for an extended hours supplemental license; amends KRS 243.072 and 243.075 to include county alcohol license fees and permit local regulatory license fees for limited restaurant territory or for a city of the third or fourth class under KRS Chapter 242; amends KRS 243.082 to clarify the duties and privileges of an NQ1 license; amends KRS 243.084 to authorize NQ2 retail drink licenses for hotel and restaurant dining facilities that seat at least 50 people and that derive at least 50 percent of their food and alcoholic beverage receipts from the sale of food; amends KRS 243.120 to assign a distiller’s Class A license to distillers that produce more than 50,000 gallons of distilled spirits per year, and a distiller’s Class B license to those that produce 50,000 gallons or less per year; amends KRS 243.200 to add the duties and privileges of a transporter’s license; amends KRS 243.250, 244.125, and 244.295 to set the restaurant food threshold at 50 percent of food and beverage receipts rather than food and beverage income; amends KRS 243.320 to allow a nonbeverage alcohol licensee to produce, possess, and use alcohol in the manufacture of nonbeverage fuel ethanol; amends KRS 243.353 to make technical changes; amends KRS 243.360 to exempt an applicant for a micro out-of-state distilled spirits and wine supplier’s license from the requirement to advertise the intention to apply for a license, and remove outdated license types and corrects current license names; amends KRS 243.380 to prohibit cash payment of a license fee; amends KRS 244.290 and 244.480 to replace outdated terms; amends KRS 244.585 to compel a malt beverage distributor to file its territorial agreements only upon request of the department; amends KRS 243.034, 243.042, 243.170, and 243.230 to conform; repeals KRS 243.083 and 243.205.

SB 86

AN ACT relating to Asset Resolution Corporation.

Amends KRS 164A.055 to allow the Asset Resolution Corporation to adopt bylaws and rules for its business.

SB 91

AN ACT relating to public utilities.

Amends KRS 278.380 to allow the Public Service Commission to deliver its orders by electronic transmission unless a party requests and demonstrates good cause for hard copy delivery by mail, and to clarify the form of electronic transmissions by the commission.

SB 98

AN ACT relating to adult abuse, neglect, and exploitation.

Creates a new section of KRS Chapter 209 to require entities that provide personal care services to vulnerable adults to query the Cabinet for Health and Family Services as to whether a prospective employee, contractor, or volunteer has been the subject of a validated substantiated finding of adult abuse, neglect, or exploitation, allow queries for current employees, contractors, and volunteers, allow an individual to query the cabinet to determine whether a validated substantiated finding of adult abuse, neglect, or exploitation has been entered against him or her, make false queries a criminal violation, establish a liability hold harmless period for provisional employment where a response to a query is not timely returned by the cabinet, and require the cabinet to promulgate administrative regulations to implement the query process in a secure manner.

SB 103

AN ACT relating diabetes, and declaring an emergency.

Creates a new section of KRS Chapter 214 to permit a caregiver of an individual who has diabetes to administer or assist with the self-administration of the medication listed if the caregiver has been trained and has the written authorization of the individual's health care practitioner, require the written authorization to be kept on file, exempt the health care practitioner and the caregiver from liability unless an injury is the result of negligence or misconduct, exempt the trained and authorized caregiver from laws related to the practice of nursing, and permit a health care practitioner to train a caregiver; EMERGENCY.

SB 105

AN ACT relating to newspaper carriers.

Amends KRS 342.640 to delete newspaper carriers from being considered employees of independent news agencies for workers' compensation purposes.

SB 108

AN ACT relating to parental rights.

Creates new sections of KRS Chapter 403.270 to 403.350 and KRS Chapter 405 to require a person convicted of a felony offense under KRS Chapter 510 in which a child was born as a result of the offense to lose parental rights with respect to that child, allows mother to request exception, and requires court to impose an obligation of child support against the offender unless waived by the mother and, if applicable, a public agency supporting the child.

SB 109

AN ACT relating to the sale of tobacco related products to minors and declaring an emergency.

Amends various sections of KRS 438.305 to 438.340; defines "alternative nicotine product," "tobacco product," and "vapor product," prohibit the sale to minors of tobacco products, alternative nicotine products, and vapor products, prohibit minors from purchasing tobacco products, alternative nicotine products, and vapor products, set out distribution prohibitions for wholesalers, retailers, and manufacturers, stipulate prohibitions on sale of tobacco products, alternative nicotine products, and vapor products from vending machines, establish retail notification requirements for tobacco products, alternative nicotine products, and

vapor products, set out Department of Alcoholic Beverage Control and Department of Agriculture inspection requirements, and direct Department of Agriculture education duties; amends KRS 438.350 to prohibit possession by minors of tobacco products, alternative nicotine products, and vapor products; amends KRS 438.350 to define terms; EMERGENCY.

SB 113

AN ACT relating to elections and declaring an emergency.

Extends the deadline for establishing precincts from January 28, 2014, to February 28, 2014; EMERGENCY.

SB 114

AN ACT relating to consumer loan companies.

Amends KRS 286.4-530 to change the dollar-amount classifications that are used to determine maximum charges that may be applied to a loan not exceeding \$15,000 from a three-tiered system to two.

SB 118

AN ACT relating to prescription eye drops.

Creates a new section of KRS Subtitle 17A of KRS Chapter 304 regulating coverage of prescription eye drops under health benefit plans for refills for two different time frames for early refills of prescription eye drops, one for 30 days and one for 90 days; creates a new section of KRS Subtitle 17C of KRS Chapter 304 regulating coverage of prescription eye drops under limited health benefit plans for refills for two different time frames of 30 days and 90 days for early refills of prescription eye drops; establishes a delayed effective date of January 1, 2015.

SB 122

AN ACT relating to reorganization.

Amends KRS 131.020 to abolish the Division of Legislative Services in the Department of Revenue, create within the Department of Revenue Office of Processing and Enforcement, the Division of Protest Resolution, and create within the Department of Revenue Office of Property Valuation, the Division of Local Support, the Division of State Valuation, and the Division of Minerals Taxation and Geographical Information System Services; confirms Executive Order 2013-806.

SB 123

AN ACT relating to sewerage corporations.

Repeals KRS 278.185, relating to notification to customers of proposed rate change when sewer corporation applies for rate change.

SB 124

AN ACT relating to drugs and declaring an emergency.

Amends KRS 218A.010 to exempt from the definition of "marijuana" those drugs used in FDA-approved studies or compassionate use programs and the substance cannabidiol when recommended by a physician practicing at a state research hospital; names legislation in honor of Clara Madeline Gilliam; EMERGENCY.

SB 128

AN ACT relating to reorganization.

Amends KRS 227.205 and 227.530 to establish the Electrical Division within the Department of Housing, Buildings and Construction; confirms Executive Order 2013-894.

SB 129

AN ACT relating to reorganization.

Amends KRS 12.020 to confirm Executive Order 2013-893 and abolish the Environmental Protection Legal Division within the Office of the General Counsel.

SB 138

AN ACT relating to the issuance of legal process.

Amends KRS 454.210 to allow a court clerk to electronically transmit court process to the Secretary of State when that office is responsible for service of process.

SB 143

AN ACT relating to the operation of a motor vehicle.

Amends KRS 186.578, regarding testing for motor vehicle operators using a bioptic device, to allow a bioptic driving instructor to recommend that an applicant be allowed to retake the test after three failures; amends KRS 186.579, regarding restricted licenses issued to bioptic drivers, to eliminate the 36-month wait before a bioptic driver may be allowed to drive at night, allow applicants to take the nighttime driving examination upon recommendation of a vision specialist, and include a restriction on bioptic drivers that requires the vehicle operated to have left and right side mirrors.

SB 144

AN ACT relating to planning and zoning.

Amends KRS 100.211 to define “administratively complete,” require planning commissions to act on administratively complete zoning amendments within 60 days, require planning commissions of consolidated local governments to act on administratively complete zoning amendments within 120 days, and grant local governments the ability to extend, by ordinance, the action date to either 90 or 120 days; amends KRS 100.237 to allow board of zoning adjustment review and revocation of conditional use permits previously issued, in certain circumstances, and allow revocation of conditional use permit if the board is not informed of certain modifications.

SB 150

AN ACT relating to self-storage liens.

Amends KRS 359.200 to define “electronic mail” and “verified mail”; amends KRS 359.230 to allow the use of verified or electronic mail in self-storage lien notices and allows for the towing of motor vehicles or watercraft in lieu of authorized sale in the event of default; creates a new section of KRS Chapter 359 to authorize the imposition of late fees pursuant to a self-storage rental agreement and limit the value of the late fees to \$20 or 20 percent of the value of the monthly rental fee, and allow the operator of a self-storage facility to recover reasonable costs in the event of a default.

SB 153

AN ACT relating to energy efficiency.

Amends KRS 224.46-330 to authorize use of the pollution prevention fund dollars to match federal funds for the purpose of providing energy efficiency technical assistance; amends KRS 103.200, 103.210, 103.220, 103.240, and 103.286, pertaining to city and county private activity revenue bonds; creates a new section of KRS Chapter 103 to reserve 10 percent of the state private activity bond cap for small or medium manufacturing facility energy efficiency bond projects during the first half of the bond cap allocation period after which unused cap shall revert to the single allocation pool, and establish requirements for issuance of manufacturing energy efficiency bonds; creates new section of KRS Chapter 147A to allow the Department for Local Government to establish an information clearinghouse on issuance and uses of industrial revenue bonds.

SB 158

AN ACT relating to campus safety.

Amends KRS 164.9489 to make the title of the statutory range The Michael Minger Life Safety Act.

SB 159

AN ACT relating to children's dental care.

Amends KRS 216B.176 to permit primary care centers to provide Medicaid managed care reimbursed school-located and Head Start-based dental care programs.

SB 170

AN ACT relating to noxious weeds and invasive plants.

Amends KRS 176.051 to revise the list of noxious weeds and invasive plants to be eradicated from the state rights-of-way, require the Department of Highways to promote awareness of the eradication program through the use of electronic media and the Cooperative Extension Service, permit the department by administrative regulation to add noxious weeds and invasive plants to or delete them from the list, establish factors the department may consider in making a determination regarding the addition or deletion of a plant, and require the department to review the regulation at least once every four years.

SB 176

AN ACT relating to caregivers.

Amends KRS 405.023 to expand the statewide service program to other caregivers caring for minors who are not their biological children; creates a new section of KRS Chapter 405 to establish an affidavit for caregivers to authorize health care treatment and school-related decisions for children in their care that defines terms, establish requirements and the form of the affidavit, establish penalties for misuse of the affidavit, require health care providers to honor the affidavit, permit parents, legal custodians, and de facto custodians to supersede the decision of a caregiver and revoke the affidavit, and clarify that caregiver rights do not supersede parental rights; creates a new section of KRS Chapter 158 to require schools to honor a caregiver's authority to make school-related decisions for a child in their care and clarify that caregiver rights do not supersede parental rights.

SB 184

AN ACT relating to human trafficking.

Creates new sections of KRS Chapter 529 to allow motions to expunge of nonviolent offenses that resulted from being a victim of human trafficking and create an affirmative defense to nonviolent offenses for victims of human trafficking.

SB 192

AN ACT relating to special law enforcement officers.

Amends KRS 15.420 to include special law enforcement officers employed by school districts in the definition of “police officer”; amends KRS 16.220 to make special law enforcement officers employed by school districts eligible for certain Kentucky Office of Homeland Security grants.

SB 199

AN ACT to revise and correct the Kentucky Revised Statutes.

Statute Reviser’s Bill for the 2014 Regular Session: makes legislative findings and declarations on the nature and reasons for the changes being made; repeals and reenacts KRS 38.030 to ratify and confirm the General Assembly’s action in enacting 2009 HB 541 without the required enacting clause; amends KRS 81.010 to correct the spelling of certain cities’ names and to remove cities that are no longer functioning as incorporated cities; amends KRS 6.505, 75.031, 134.452, 161.046, 186.574, 189A.345, 218A.1438, and 248.725 to correct drafting or codification errors; amends KRS 446.140 to delete a citation to a repealed statute and insert a citation to the current applicable statute; repeals KRS 216B.0422, which is duplicative of KRS 216B.0445.

SB 200

AN ACT relating to the juvenile justice system and making an appropriation therefor.

Creates new sections of KRS Chapter 15A to require data sharing between the Department of Corrections and the Department of Juvenile Justice, create the Juvenile Justice Oversight Council, and create a fiscal incentive program; creates a new section of KRS Chapter 158 to require schools to prepare annual reports on school safety and discipline; creates new sections of KRS Chapter 605 to create in every judicial district a family accountability, intervention, and response team, and to require the Department of Juvenile Justice to promulgate regulations; creates a new section of KRS Chapter 610 to allow informal adjustment of juvenile cases; amends KRS 15A.067 to require assessment of usage of Department of Juvenile Justice facilities; amends KRS 158.441 to define “school safety officer” and require training; amends KRS 159.140 to allow a director of pupil personnel to refer a truancy complaint to the family accountability, intervention, and response team after meeting with a court-designated worker; amends KRS 159.150 to allow school boards to develop and use early intervention programs; amends KRS 200.505 and 200.509 to broaden the purpose of the State Interagency Council and the Regional Interagency Councils; amends KRS 600.010 to state the juvenile justice policy of the Commonwealth; amends KRS 600.020 to provide definitions of “evidence-based practices,” “graduated sanction,” “out-of-home placement,” and “risk and needs assessment”; amends KRS 600.060 to limit detention for contempt to 10 days; amends KRS 605.020 to require AOC to develop a form complaint for use with the court-designated worker in originating complaints, to track and report to the Oversight Council all youth who have status charges, or whose cases

originated as status cases, and who are committed to the cabinet; amends KRS 605.030 to expand the role and training of the court-designated worker and allow the court-designated worker to request records from the schools pursuant to the FERPA provisions of the bill; amends KRS 605.050 and 605.060 to expand use of risk and needs assessments; amends KRS 605.100 to include risk and needs assessments and graduated sanctions; amends KRS 605.130 to require the cabinet to assess all referrals from a court-designated worker, to track all youth who have status offense charges and are committed or probated to the cabinet, and to report; amends KRS 610.030 to define expanded role of the court-designated worker and the interaction with the family accountability, intervention, and response team; amends KRS 635.010 to clarify role of the county attorney in juvenile public offense cases; amends KRS 635.060 to define disposition options for public offense cases; amends various sections to conform; repeals KRS 67.0831.

SB 208

AN ACT relating to industrial hemp.

Amends KRS 260.857 to remove the Speaker of the House of Representatives or the Speaker's designee, the President of the Senate or the President's designee, the chair of the Senate Agriculture Committee, and the chair of the House Agriculture and Small Business Committee from the Kentucky Industrial Hemp Commission.

SB 213

AN ACT relating to alcoholic beverages.

Amends KRS 244.290 to allow a county containing a small farm winery to permit, by ordinance or limited sale precinct election, the sale of alcoholic beverages on the licensed premises of a small farm winery located within that county between the hours of 1 p.m. until the prevailing time of that locality; creates a new section of KRS Chapter 242 to establish the requirements of the election, the question on the petition, and the proposition to be voted on, and permit a limited sale precinct election within three years of a local option election; amends KRS 243.260 to allow the holder of a special temporary license to exercise the privileges of that license in only those counties or cities that have enacted an economic hardship ordinance or where quota retail drink licenses are authorized; creates a new section of KRS 244.602 to 244.606 to prohibit brewers or importers of malt beverages from requiring payment from distributors for the right to distribute their products in a designated territory; amends KRS 243.155 to conform.

SB 225

AN ACT relating to voyeurism.

Amends KRS 531.090 to include intentionally recording or viewing an undergarment worn without being publicly visible among the possible elements of the crime of voyeurism.

SB 228

AN ACT relating to underground facility protection.

Amends KRS 367.4917 to include a fine for a violation of any provision of the Underground Facility Damage Prevention Act of 1994 that results in damage to a facility containing any flammable, toxic, corrosive, or hazardous materials or the release of the materials, and to include fire protection agencies in the recovery of fines for violation of the Act.

SCR 44

Declares Kentucky the Houseboat Capital of the World.

SCR 102

Directs the staff of the Legislative Research Commission to study family caregiving and long-term supports and services in Kentucky.

Senate Simple Resolutions**SR 243**

Confirms the appointment of R. Roland Case as an administrative law judge in the Department of Workers' Claims.

SR 244

Confirms the reappointment of J. Landon Overfield as an administrative law judge in the Department of Workers' Claims.

SR 245

Confirms the reappointment of John B. Coleman as an administrative law judge in the Department of Workers' Claims.

SR 246

Confirms the reappointment of Robert L. Swisher as an administrative law judge in the Department of Workers' Claims.

SR 247

Confirms the reappointment of Jeanie Owen Miller as an administrative law judge in the Department of Workers' Claims.

SR 248

Confirms the appointment of J. Gregory Allen as an administrative law judge in the Department of Workers' Claims.

SR 249

Confirms the reappointment of Linda K. Breathitt to the Public Service Commission.

SR 251

Confirms the appointment of Dana B. Mayton to the Kentucky Public Transportation Infrastructure Authority.

SR 252

Confirms the reappointment of Don C. Kelly to the Kentucky Public Transportation Infrastructure Authority.

SR 253

Confirms the reappointment of Glenn B. Mitchell to the Kentucky Public Transportation Infrastructure Authority.

SR 254

Confirms the appointment of Rebekkah Bravo Rechter to the Workers' Compensation Board.

SR 255

Confirms the reappointment of Michael W. Alvey to the Workers' Compensation Board.

SR 256

Confirms the appointment of Sharon L. Hardesty to the Parole Board.

SR 257

Confirms the appointment of Lelia A. VanHoose to the Parole Board.

SR 258

Confirms the reappointment of David C. Whaley to the Education Professional Standards Board.

SR 259

Confirms the appointment of Tolya L. Ellis to the Education Professional Standards Board.

SR 260

Confirms the appointment of Shannon Treece to the Education Professional Standards Board.

SR 261

Confirms the appointment of Mary John O'Hair to the Education Professional Standards Board.

SR 262

Confirms the appointment of Laura Lee Schneider to the Education Professional Standards Board.

SR 263

Confirms the appointment of David C. Whaley to the Education Professional Standards Board.

SR 264

Confirms the appointment of Samuel E. Moore to the Agricultural Development Board.

SR 265

Confirms the appointment of Betty B. Bailey to the Agricultural Development Board.

SR 266

Confirms the reappointment of Horace Alton Cunningham to the Kentucky Housing Corporation Board of Directors.

SR 267

Confirms the reappointment of Ann D. McDonald to the Kentucky Housing Corporation Board of Directors.

SR 268

Confirms the appointment of Grayson R. Boyd to the Kentucky Board of Education.

SR 269

Confirms the appointment of Trevor R. Bonnstetter to the Kentucky Board of Education.

SR 270

Confirms the appointment of Joe E. Ellis to the Council on Postsecondary Education.

SR 271

Confirms the reappointment of Pam Miller to the Council on Postsecondary Education.

SR 272

Confirms the reappointment of David B. Stevens to the Personnel Board.

SR 277

Confirms the appointment of Marvin D. Russow to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority.

SR 278

Confirms the reappointment of Mark Workman to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority.

SR 279

Confirms the reappointment of Sam H. Newcomb to the Kentucky Employers' Mutual Insurance Authority.

SR 280

Confirms the reappointment of John Caudill to the Kentucky Employers' Mutual Insurance Authority.

SR 281

Confirms the reappointment of Donna Moore Campbell to the Council on Postsecondary Education.

SR 282

Confirms the reappointment of Sherrill B. Zimmerman to the Council on Postsecondary Education.

SR 283

Confirms the appointment of Chastity Ross to the Kentucky Registry of Election Finance.

SR 284

Confirms the appointment of Reid Haire to the Kentucky Registry of Election Finance.

SR 285

Confirms the appointment of Tommy W. Chandler to the Personnel Board.

SR 286

Confirms the appointment of Maryanne Honeycutt Elliott to the Council on Postsecondary Education.

House Bills

HB 2

AN ACT relating to postsecondary financial aid programs funded with coal severance tax receipts and declaring an emergency.

Creates a new section of KRS Chapter 164 establishing the Kentucky Coal County College Completion Program to include the Kentucky Coal County College Completion Scholarship and the Kentucky Coal County College Completion Student Services Grant, create the Kentucky Coal County District to include coal-producing counties as defined in KRS 42.4592(1)(c), require the Kentucky Higher Education Assistance Authority to administer the program, define student and institutional eligibility for scholarships and grants, establish the formula for determining the scholarship amounts, set the maximum scholarship and grant amounts, require the authority to report annually on the program, with a program evaluation every four years, and establish funding with amounts appropriated from coal severance tax receipts in the biennial budget; amends KRS 164.7890 to require recipients of the coal county scholarship program for pharmacy students to be residents of a coal-producing county, and transfer funds that are not expended from the coal county scholarship program for pharmacy students to the osteopathic medicine scholarship program; EMERGENCY for provisions relating to Kentucky Coal County College Completion Program.

HB 5

AN ACT relating to the safety and security of personal information held by public agencies.

Creates a new section of KRS Chapter 61 to define certain terms; creates a new section of KRS Chapter 61 to require public agencies and nonaffiliated third parties to implement, maintain, and update security procedures and practices, including taking any appropriate corrective action to safeguard against security breaches, establish reasonable security and breach investigation procedures, include security and breach investigation procedures in contracts with nonaffiliated third parties, require Commonwealth Office of Technology to make available technical assistance for the establishment of security and breach investigation procedures upon request of agencies, and allow nonaffiliated third parties 72 hours to notify the appropriate agencies after determination of security breaches relating to personal information in the possession of the nonaffiliated third parties; creates a new section of KRS Chapter 61 to require public agencies that maintain personal information to notify persons impacted by security breaches, specify how to provide notice of security breaches to impacted individuals, require public agencies to notify specified state officials of security breaches within 72 hours of determination or notification of security breaches relating to personal information collected, maintained, or stored by agencies, and declare that the Act does not create a private right of action; creates a new section of KRS Chapter 61 to require Department for Libraries and Archives to establish procedures for the disposal and destruction of records that include personal information and require the legislative and judicial branches to follow these changes to KRS Chapter 61; amends KRS 42.722 to define certain terms; amends KRS 42.726 to require Commonwealth Office of Technology to develop a security framework relating to privacy and confidentiality of personal information and submit an annual report to Legislative Research Commission regarding security breaches that occurred in the executive branch of state

government during the prior fiscal year, actions taken to resolve the security breaches, and actions taken to prevent future security breaches; amends KRS 42.732 to require Commonwealth Office of Technology to receive advice from Kentucky Information Technology Advisory Council on preventing security attacks; amends KRS 171.450 to require Department for Libraries and Archives to establish procedures to protect against unauthorized access to personal information; amends KRS 171.680 to require public agencies to comply with the changes to KRS Chapter 61; declare that the Act does not impact the Open Records Act; establishes a delayed effective date of January 1, 2015.

HB 17

AN ACT relating to reporting on economic incentive programs.

Creates a new section of KRS Chapter 154, Subchapter 12, to require the Cabinet for Economic Development to maintain a searchable electronic database containing information on the cost and status of economic incentive programs, specify programs and information to be included, apply provisions to specified programs approved within the last five years, require a single annual written report for programs approved in the preceding fiscal year, and specify programs and information to be included; amends KRS 148.546, 148.8591, 154.12-100, 154.12-208, 154.12-278, 154.20-150, 154.27-050, and 154.31-030 to conform.

HB 26

AN ACT relating to school district employee health insurance.

Amends KRS 161.158 to make school district employees considered full time under the federal Affordable Care Act eligible for the state-funded contribution for the state health insurance plan offered by the school district.

HB 28

AN ACT relating to legislative ethics.

Amends KRS 6.611 to allow promotional items of less than \$50, delete the exception allowing lobbyists or employers to pay for food and beverages consumed on the premises, clarify that expenditures for attendance at national organizations paid for by the Legislative Research Commission are not expenses first paid by the legislator, limit the ability of lobbyists to pay for legislators' trip expenses to those held in-state, define "in-state," and include administrative regulations and matters pending before statute committees as "legislation"; amends KRS 6.711 to require orientation courses for new legislators in December of each even-numbered year, and require the orientation course to be at least two hours; amends KRS 6.716 to allow the group discussion portion of legislative orientation courses to be open to the public; amends KRS 6.767 to allow the group discussion portion of legislative current issues seminars to be open to the public; amends KRS 6.747 to prohibit a legislative agent or employer from paying for out-of-state travel and expenses for a legislator; amends KRS 6.767 to prohibit a member or candidate for the General Assembly, or a campaign committee, from receiving a campaign contribution from an employer, or permanent committee during a regular session of the General Assembly, except during a special election; amends KRS 6.811 to prohibit a legislative agent or employer from soliciting, controlling, or delivering a campaign contribution for a candidate or legislator, and prohibits an employer from making a campaign contribution to a legislator, candidate, campaign committee, or caucus campaign committee during a regular session of the General Assembly; amends KRS 6.821 to conform and to define "advertising"; creates a new section of

KRS Chapter 7 to require the Legislative Research Commission to require all members of the General Assembly to attend a sexual and workplace harassment training course at the beginning of each session; amends KRS 7.090 to require the director of the commission to inform the Speaker, the President, and the Minority Floor Leaders of each chamber within 48 hours of any matter involving a member of the General Assembly that could lead to litigation in which the General Assembly or LRC may be a party; requires confidentiality from informed members; amends KRS 7.410 and KRS 11A.010 to conform.

HB 47

AN ACT relating to disabled parking placards.

Amends KRS 189.456 to add advanced practice registered nurses and chiropractors to those who may submit a statement of disability for an accessible parking placard.

HB 69

AN ACT relating to automated business record falsification devices.

Creates a new section of KRS Chapter 517 to prohibit the possession of an automated business record falsification device, commonly known as a tax zapper or phantom-ware, provide that possession of such devices is a Class D felony, and provide for the forfeiture of such devices and all proceeds associated with the sale or use thereof; amends KRS 139.760 to provide for a 10-year sales tax permit revocation whenever any permit holder uses an automated business record falsification device to violate any provision of the sales tax laws.

HB 75

AN ACT relating to training and assessment of new superintendents and declaring an emergency.

Amends KRS 156.111 to expand the number of components within the superintendent's training program and assessment center, clarify that the local board is not responsible for any training costs associated with a superintendent's participation in required training, require a superintendent to complete the assessment center process within two years of taking office as superintendent, require the Kentucky Board of Education to adopt administrative regulations to govern the criteria for successful completion of the training requirements, and allow the Kentucky Department of Education to contract with outside groups to provide required training; amends KRS 160.350 to require a superintendent to complete the training program and assessment center process within two years of assuming the duties of superintendent; EMERGENCY.

HB 78

AN ACT relating to trusts and estates.

Creates KRS Chapter 386B and subchapters and sections thereof to enact the Kentucky Uniform Trust Code, provide for the creation, administration, modification, termination, and validity of trusts including oral trusts, address definitions, general provisions, venue, jurisdiction, and administration of trusts, establish method of sending notice and waiving notice, allow trust matter to be commenced in District or Circuit Court, provide uniformity regarding representation in transactions or proceedings related to a trust, allow minor, incapacitated person, unborn individual, or person whose identity is unknown to be represented and legally bound by another having a substantially identical interest with respect to a particular question or dispute in a trust

matter, require that most trusts have a definite beneficiary and, alternatively, allow and legitimize trusts for the care of animals, charitable trusts, and trusts for a noncharitable purpose, allow creation of a trust without a trust instrument, allow oral trusts, require clear and convincing evidence as the standard of proof for oral trusts, permit courts to apply doctrine of cy pres to a charitable trust when the charitable purpose is not obtainable and a comparable purpose may be selected, give express statutory direction for creditor's claims and spendthrift and discretionary trusts, specify that spendthrift provision in trust restricts a beneficiary creditor from attaching the beneficiary's interest in the trust until there is a distribution to the beneficiary, prohibit creditor from compelling a trust to make a distribution to a beneficiary that is discretionary, forbid a beneficiary who owes child support, spousal maintenance, or a debt for services provided from relying on a trust's spendthrift provisions to avoid attachment of that interest to the trust, recognize and define revocable trusts, require that trust is revocable unless trust instrument expressly provides that it is irrevocable, allow settler, cotrustee, beneficiary or the court to request that trustee be removed on grounds of breach of trust, specify that trustee is entitled to reasonable compensation and that court may review and change trustee's compensation, enumerate duties and powers of trustee, require that an agent be held to fiduciary standard of trustee in accepting an appointment, establish liability of trustees and rights of persons dealing with trustees, establish remedies for breach of obligation by trustee, establish that in certain situations a trustee is immune from personal liability when doing business with others on behalf of the trust, specify that breach of duty to the beneficiary invokes court's equity powers to compel performances, require that provisions of KRS Chapter 386B be construed to promote uniformity among states, conform to federal requirements related to electronic signatures and records, specify applicability of KRS Chapter 386B, and amend and repeal various sections of the Kentucky Revised Statutes to conform.

HB 79

AN ACT relating to the enrollment of refugee or legal alien students in school.

Amends KRS 158.100 to allow a local board of education to provide services to refugees and legal aliens until the student graduates or until the end of the school year in which the student reaches the age of 21, whichever occurs first.

HB 81

AN ACT relating to the Legislative Research Commission.

Amends KRS 7.090 to implement a work-related incentive program for employees of the Legislative Research Commission using an employee suggestion system, require the Commission to hire a director who has demonstrated moral and ethical leadership while holding a leadership position in business, government, military service, or a nonprofit or charity, require the national motto "In God We Trust" to be displayed behind the dais of the President of the Senate and behind each chairperson in each committee room used by members of the General Assembly in the Capitol and Capitol Annex.

HB 84

AN ACT relating to the transfer of financial information by state agencies.

Amends KRS 56.813 to increase from \$1,000 to \$10,000 the threshold amount for improvements of space leased by an agency to be amortized over the remaining term of the lease, and require reporting of expenditures for improvements with a cost between \$1,000 and \$10,000

to the Capital Projects and Bond Oversight Committee on a semiannual basis; amends KRS 342.260 to direct the commissioner to promulgate administrative regulations no later than December 31, 2015, and establish information necessary to create an email notification system where person may enter an email address into an Insurance Coverage Look-up database to be notified of any cancellation of a business' workers' compensation coverage; amends 342.340 to conform.

HB 87

AN ACT relating to transparency in employment rates and earnings.

Amends KRS 151B.133 to require the Office for Education and Workforce Statistics to disseminate, in cooperation with the Council on Postsecondary Education and the Department of Education, information concerning the employment rates and earnings of public postsecondary institution graduates reported as aggregate data, and require the information to be posted on the websites of the Office for Education and Workforce Statistics, the Council on Postsecondary Education, and each public postsecondary institution, with the information's Web address published in each public institution's catalogue, and made available to every high school guidance and career counselor; amends KRS 151B.134 to ensure that the Board of the Kentucky Center for Education and Workforce Statistics distributes information to appropriate personnel within the agencies represented on the board; amends KRS 164.020 to ensure that the Council on Postsecondary Education cooperates and the public postsecondary institutions participate in the creation of the information concerning the employment rates and earnings of graduates from the public postsecondary institutions.

HB 90

AN ACT relating to the operation of a motor vehicle by persons under the age of 18.

Amends KRS 189.999 to prohibit prepayment of traffic violations by persons under the age of 18; amends KRS 24A.175 to prohibit a court from adjudicating a case for traffic violation, for persons under the age of 18, if the person who assumed responsibility for the minor under KRS 189.590 is not present, unless the defendant is an emancipated minor; cites legislation as the Denzel Steward Act of 2014.

HB 98

AN ACT relating to health services in schools and declaring an emergency.

Amends KRS 156.502 to add a trained and approved nonlicensed health technician among the persons who may provide health services in a school setting; amends KRS 158.838 to require that schools have a person trained to administer or assist with the self administration of glucagon or insulin subcutaneously and seizure rescue medication by July 15, 2014, require training under KRS 156.502 to include instruction in administering insulin and glucagon and in recognition of the signs and symptoms of hypoglycemia and hyperglycemia, require training to be consistent with training programs and guidelines developed by the American Diabetes Association, permit student self-treatment of diabetes symptoms in school settings, prohibit, as of July 15, 2014, schools from preventing students from attending due to having diabetes or a seizure disorder, prohibit school personnel from requiring or pressuring parents or guardians to provide care during regular school hours or during school-related activities, and exempt trained staff from licensed health professional requirements; EMERGENCY.

HB 99

AN ACT relating to the carrying of concealed deadly weapons by retired peace officers.

Amends KRS 237.140, relating to concealed carry licenses for retired peace officers issued in conformity with the federal Law Enforcement Officers Safety Act, to allow the annual license to be extended in yearly increments up to four times before a new license is issued.

HB 105

AN ACT relating to fees for fingerprinting and photography by law enforcement.

Creates a new section of KRS Chapter 16 to allow State Police to charge a fee when persons request fingerprinting and photographs for professional, trade, or commercial purposes or for personal use; amends KRS 64.090 and creates a new section of KRS Chapter 70 to allow sheriffs to do the same; creates a new section of KRS Chapter 65 to allow local governments to charge fingerprinting and photograph fees.

HB 126

AN ACT relating to insurance.

Creates new sections of KRS Chapter 304, Subtitle 3 to define terms including “Own Risk and Solvency Assessment” (ORSA), establish requirements for the insurer assessment including maintenance of a risk management framework, performance of an ORSA assessment at least annually and any time there are significant changes to the risk profile of the insurer or insurance group, and submission of a summary report to the commissioner of insurance upon request, establish requirements for the summary report, establish exemptions from the assessment and reporting requirements for insurers or insurance groups, require the ORSA summary report to be prepared in accordance with the ORSA guidance manual and require that documentation be maintained and made available upon examination, establish privacy and nondisclosure requirements for documents, materials, or other information in the possession of the Department of Insurance obtained pursuant to the ORSA Summary Report and recognized as being proprietary and containing trade secrets, authorize the commissioner to share documents, materials, or other ORSA-related materials, including proprietary and trade secret documents, with other state, federal, or international financial regulatory agencies, a supervisory college as defined in KRS 304.37-010, the National Association of Insurance Commissioners (NAIC), or any third-party consultant designated by the commissioner, subject to agreement by the recipient to maintain confidentiality, require a written agreement between the commissioner and the NAIC or a third-party consultant to govern sharing and use of the confidential and privileged information, and authorize the commissioner to receive ORSA-related information, including privileged documents, materials, or information containing proprietary or trade secret information from other regulatory officials of foreign or domestic jurisdictions including members of any supervisory college and the NAIC, and require the commissioner to maintain confidentiality of the privileged information; creates a new section of KRS Chapter 304, Subtitle 99, to establish a daily penalty of \$100 for failure to timely file an ORSA Summary Report up to a maximum of \$1,000; amends KRS 304.32-130, relating to a nonprofit hospital, medical-surgical, dental, or other health service plan, to delete the cap on unencumbered reserve or surplus over and above the required reserves and not to be deemed an excessive accumulation; creates a new section of KRS Chapter 304, Subtitle 17A, to define “anticancer medications,” require that health benefit plans not require a higher copayment, coinsurance, or deductible for patient administered anticancer medications than are required for anticancer medications injected

or intravenously administered by a health care provider, prohibit specified actions to circumvent this provision, and provide that an individual or group health benefit plan be deemed in compliance with this section if the cost sharing imposed under such a policy does not exceed \$100 per prescription fill for a 30-day period, but exemption does not apply to a health benefit plan that meets the federal definition of a high-deductible health plan to be used in conjunction with a health savings account until the insured's deductible has been satisfied; establishes delayed effective date of January 1, 2015, except for the amendment to KRS 304.32-130.

HB 128

AN ACT relating to firearms and making an appropriation therefor.

Amends KRS 527.020, relating to carrying concealed deadly weapons, to permit a retired peace officer with a Law Enforcement Officer Safety Act concealed deadly weapon license to carry a concealed deadly weapon at all locations within the Commonwealth, except for correctional facilities; amends KRS 16.220 relating to organizations eligible to apply for armored vests, firearms, ammunition, and Tasers from the sale of confiscated weapon proceeds to include school districts that employ special law enforcement officers as defined in KRS 61.900; creates a new section of KRS Chapter 237 to require a "chief law enforcement officer" from whom an applicant to purchase a "firearm" as defined in the National Firearms Act such as a short-barreled rifle or shotgun has submitted an application pursuant to federal law to approve the application unless state or federal law bars the applicant from possession of a firearm, require that if the application is denied the applicant may appeal to the Circuit Court of his or her county of residence for a review de novo, and require that if the application was wrongly denied the court shall order the chief law enforcement officer to sign the application and award court costs and attorneys fees to the applicant; creates a new section of KRS 403.715 to 403.785 relating to domestic violence protection to permit a person who has received a protection order to apply to the Department of Kentucky State Police for a temporary permit to carry a concealed deadly weapon which, if the applicant is not barred from possessing a firearm, when issued is valid for 45 days and during which time, if the applicant completes the required training, can be converted to a regular concealed deadly weapon license; amends KRS 237.110, relating to concealed deadly weapons licenses, to permit the Department of Criminal Justice Training to submit an electronic certification of training completion, revise the material to be submitted by military personnel and veterans to include an honorable discharge, and remove the four-hour minimum of the handgun training requirement, permit an application for a concealed deadly weapon license to be submitted to the Department of Kentucky State Police electronically for a fee of \$70, process the electronic application within 15 days, and divide the fee into \$30 to KSP, \$20 to the sheriff of the applicant's county of residence, \$10 to the Administrative Office of the Courts for youth organization background checks, and \$10 to the Administrative Office of the Courts for concealed weapon background checks, preserve the right to submit paper applications, permit a resident of another state which has concealed deadly weapon license reciprocity with Kentucky to use the out-of-state license in Kentucky for 120 days if the person within 60 days of moving to Kentucky submits required information to KSP with the out-of-state license becoming invalid upon the earlier of the issuance of a Kentucky license or the expiration of the 120 days, and reduce the number of contacts that KSP shall make with nonreciprocity states from one every 6 months to one every 12 months.

HB 133

AN ACT relating to recreational vehicles.

Creates KRS Chapter 190A, regarding recreational vehicle dealer relationships with manufacturers, to define “area of sales responsibility,” “dealer agreement,” “established place of business,” “family member,” “new recreational vehicle dealer,” “factory campaign,” “line-make,” “manufacturer,” “proprietary part,” “recreational vehicle,” “recreational vehicle salesperson,” “supplier,” “transient customer,” and “warrantor,” establish guidelines for new recreational vehicle dealers, manufacturers and distributors, set forth requirements for recreational vehicle dealer agreements, establish a warrantor’s obligations to a recreational vehicle dealer, prescribe procedures for the termination or nonrenewal of a recreational vehicle dealer agreement, prohibit specified actions by a warrantor or dealer, establish procedures a dealer and manufacturer must follow if dealer receives a damaged recreational vehicle, and prohibit coercive actions by a manufacturer; amends KRS 190.010 to define “recreational vehicle” and “new recreational vehicle dealer”; amends KRS 190.030 to establish a fee schedule and establish a new recreational dealer license and recreational vehicle salesperson license; amends KRS 190.033 to require an applicant or holder of a new recreational vehicle dealer’s license to have on file with the Motor Vehicle Commission an approved indemnifying bond or insurance policy; amends KRS 190.035 to require new recreational vehicle dealers to have an established place of business to obtain a license; amends KRS 190.040 to establish when a recreational vehicle license may be denied, suspended, or revoked; amends KRS 190.062 to require the parties to a dispute involving recreational vehicle franchise issues to attempt mediation before bringing a civil action; amends KRS 190.090 to include recreational vehicles in the installment sales contract provisions; amends KRS 190.260, 190.270, and 190.300 to include motor homes in the odometer provisions, set the maximum handling charge that a warrantor is obligated to reimburse to recreational vehicle dealers at \$150, and set forth differences between new motor vehicle dealers and recreational vehicle dealers when conducting temporary sales or displays; provides that the Act applies to agreements entered into on or after the effective date of this bill; provides that the Act takes effect January 1, 2015; provides that the Act may be cited as the Recreational Vehicle Dealer Franchise Act of 2014.

HB 138

AN ACT relating to public employee health insurance.

Amends KRS 18A.2254 to describe health reimbursement accounts and add health flexible spending accounts as an option for public employees in addition to the Public Employee Health Insurance Program.

HB 154

AN ACT relating to schools.

Amends KRS 160.180 to establish January 1, 2015, as the effective date for the change in training requirements for school board members, require school board members with fewer than eight years experience to complete 12 hours of annual training, require school board members with more than eight years experience to complete 8 hours annual training, and identify specific training topics; amends KRS 160.431 to require that persons seeking initial employment as a school finance officer on or after July 1, 2015, hold a certificate of legal qualification for the position issued by the Department of Education, require an annual financial report to be submitted by the finance officer to the department of education within six months after the end of

the fiscal year, and require the department of education to review a district's annual financial report and, within two months of its receipt, provide the local board of education with a written report regarding the financial status of the district; amends KRS 156.111 to require school superintendents to annually complete training in school finance and ethics; amends KRS 161.020 to require certification for a person initially employed as a school finance officer on or after July 1, 2015.

HB 157

AN ACT relating to continuing medical education for physicians.

Amends KRS 311.601 to clarify that the continuing medical education required pursuant to KRS 214.610(1) be a one-hour course at least one time every 10 years and establish a sunset provision for that training, and require the State Board of Medical Licensure to include in its continuing medical education requirements training on the recognition and prevention of pediatric abusive head trauma for current and future pediatricians, radiologists, family practitioners, and emergency medicine and urgent care physicians.

HB 169

AN ACT relating to motor vehicle dealers.

Amends KRS 190.030 to limit a temporary sale or display by a dealer who is not a new motor vehicle dealer to only the county where the licensee is licensed to conduct business, limit a new motor vehicle dealer to temporary off-site sales within their market area as defined by KRS 190.047(6), and increase the required bond amounts; amends KRS 190.033 to increase the required insurance amounts, and exempt a dealer who has a certificate of self-insurance from the Department of Insurance from the insurance requirements; amends KRS 190.058 to provide that the motor vehicle commission fund does not lapse but can be carried forward to the next biennium; amends KRS 138.470, regarding motor vehicle usage tax, to exempt vehicles under an MSO held by a new motor vehicle dealer that are titled and transferred to a used motor vehicle dealer and held for sale.

HB 170

AN ACT relating to fiscal matters.

Amends KRS 160.613 to clarify that if a manufacturer, processor, miner, or refiner chooses to claim that a portion of the energy or energy-producing fuels purchased by that entity is exempt from the utility gross receipts license tax, the entity claiming the exemption becomes responsible to report and pay the portion of the tax due directly to the Department of Revenue; amends KRS 160.6156 to specify who may request a refund or credit of any overpayment of the tax and requires that an appeal of the denial of a requested refund to the Circuit Court shall be made within 30 days from the mailing date of the denial; amends KRS 91A.080 to exempt premiums paid to insurance companies or surplus lines brokers by self-insured groups consisting of governmental entities from the local license fee or tax imposed on insurance companies for the privilege of engaging in the business of insurance.

HB 175

AN ACT relating to the Kentucky Housing Corporation.

Amends KRS 198A.040 to add certain corporate powers to the Kentucky Housing Corporation.

HB 176

AN ACT relating to local government procedures.

Amends KRS 65.055 to allow the electronic distribution of open meetings, open records, and records management materials which the local officials must distribute locally, and allows the distribution to members who have been appointed or elected after the most recent distribution to occur within 60 days after the date their term of office begins; amends KRS 83A.060, relating to city ordinances, to require text that is intended to be removed from an ordinance to be enclosed by brackets and stricken through with a solid, rather than dashed, line; amends KRS 91A.040, relating to city audits, to allow the audits and financial statements to be sent by electronic means to the Department for Local Government, which may in turn send the audits and financial statements to the Legislative Research Commission by electronic means; amends KRS 424.330, relating to the publication of delinquent city taxes, to allow the publication costs to be prorated among the delinquent taxpayers, in lieu of a \$5 fee being added for publication costs for each delinquent taxpayer.

HB 179

AN ACT relating to law enforcement officer service weapons.

Amends KRS 65.041 to permit local law enforcement agencies to sell a government-issued firearm to the law enforcement officer to whom the firearm was issued upon that officer's retirement, and establish prerequisites.

HB 181

AN ACT relating to eggs and declaring an emergency.

Amends KRS 260.540 to define "lot consolidation," "registered lot consolidator," and "repacking," and stipulate training for a registered lot consolidator of eggs; amends KRS 260.610 to allow lot consolidation by a registered lot consolidator, and authorize promulgation of administrative regulations; EMERGENCY.

HB 183

AN ACT relating to city civil service.

Amends KRS 90.310 to prohibit the establishment of a civil service commission in the months of November or December of even-numbered years, and allow any ordinance creating a civil service commission to be amended or repealed, except that no repeal of provisions relating to the maintenance of a pension fund are allowed; amends KRS 95.761 to permit certain cities to adopt either the provisions of KRS 95.761 to 95.766 or KRS 90.300 to 90.420 for its police and firefighters, allow adoption of KRS 90.300 to 90.420 for nonpolice and firefighters, prohibit the establishment of a civil service commission in the months of November or December of even-numbered years, and allow any ordinance creating a civil service commission to be amended or repealed, except that no repeal of provisions relating to the maintenance of a pension fund are allowed.

HB 189

AN ACT relating to the veterans' program trust fund.

Amends KRS 40.450 to clarify that the Kentucky Department of Veterans Affairs has administrative authority over the veterans' program trust fund and the authority to promulgate administrative regulations related to the trust fund.

HB 192

AN ACT relating to special purpose governmental entities and declaring an emergency.

Amends KRS 65A.010 to define “federally regulated municipal utility,” and to clarify definition of “fee”; amends KRS 65A.020 to make technical changes, and to clarify information that must be filed with the Department for Local Government relating to taxes and fees imposed by special purpose governmental entities, and financial information submitted by federally regulated municipal utilities and public utilities established pursuant to KRS 96.740; amends KRS 65A.030 to allow federally regulated municipal utilities and utilities established pursuant to KRS 96.740 to comply with audit provisions relating to the public power components of their operations by submitting audits that conform to the information that must be submitted to other entities; amends KRS 65A.080 to provide for budget amendments; amends 65A.100 to further define and refine the type of information that must be reported to the governing body of the establishing entity; amends 96.840 to conform; amends KRS 91A.360, 91A.372, 91A.380, and 91A.394 to require tourist and convention commissions to be audited as provided in KRS 65A.030; provides that the Act shall be retroactively effective to January 1, 2014; EMERGENCY.

HB 206

AN ACT providing that a loan modification resulting in a lower interest rate is secured by the original mortgage.

Amends KRS 382.520 to provide that in addition to a real estate mortgage securing payment of a loan renewal and extension, an interest rate reduction shall be secured by the real estate mortgage, whether included in the mortgage or not.

HB 208

AN ACT relating to finance.

Amends KRS 11.065 to add the chief information officer to the Governor’s Executive Cabinet; amends KRS 42.722 to define “technology infrastructure”; amends KRS 42.724 to name the chief information officer, establish the Division of Enterprise Architecture within the Office of Enterprise Technology, abolish the Division of Printing Services, rename the Division of Financial Information Technology the Division of Revenue Application Development, rename the Division of Support Services the Division of Development Support Services, rename the Division of Agency Information Technology the Division of Agency Application Development, establish the Division of Data Management Services within the Office of Application Development, and establish the Office of Information Technology Service Management within the Commonwealth Office of Technology; amends KRS 42.726 to expand the duties of the Commonwealth Office of Technology; amends KRS 141.438 to increase the amount of Endow Kentucky tax credits that can be awarded annually to \$1 million from the current \$500,000 in fiscal years beginning on or after July 1, 2016.

HB 211

AN ACT relating to education and declaring an emergency.

Confirms Executive Order 2013-518, which reorganizes various offices in the Education and Workforce Development Cabinet; amends KRS 158.070 to define “minimum school term,” “student attendance day,” “student instructional year,” and “teacher professional day,” establish a process to amend a school calendar due to an emergency, allow a student attendance day to

exceed seven hours with approval from the commissioner of education, and permit teacher delegates to attend regional or district professional meetings held on days when school is open; amends KRS 157.350 and 158.649 to conform; provides that school districts that want to complete 1,062 instructional hours by June 6, 2014, but are unable to under the current school calendar, can request assistance from the commissioner of education to determine a plan for completing the required hours; provides that, after determining a district cannot complete 1,062 hours by June 6, 2014, after maximizing instructional time, the commissioner shall waive the remaining required hours; provides that school districts may schedule graduation ceremonies before the final instructional day; prohibits school districts from scheduling instructional time on Saturdays; requires staff to complete all contract days; allows a district to be open on primary election day if no school is used as a polling place; requires the Department of Education to report to the Interim Joint Committee on Education how school districts completed the 1,062 instructional hours; EMERGENCY.

HB 218

AN ACT relating to motor vehicle insurance.

Amends KRS 304.39-117, regarding proof of insurance for motor vehicles, to require that a copy of the insurance card be required only within 45 days of transfer of title or changing insurance carriers, and allow vehicle's listing in AVIS database to be evidence of coverage.

HB 232

AN ACT relating to the security of personal information.

Creates a new section of KRS Chapter 365 to require consumer notification when a data breach reveals personally identifiable information; creates a new section of KRS Chapter 365 to require cloud computing service providers contracting with educational institutions to maintain security of student data, and define terms.

HB 234

AN ACT relating to Korean War veterans.

Creates a new section of KRS Chapter 2 to create "Korean War Armistice Day," and request the Governor to proclaim annually.

HB 235

AN ACT relating to appropriations providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

The State/Executive Branch Budget: appropriates from the General Fund (Tobacco), General Fund, Restricted Funds, Federal Funds, Road Fund, Bond Funds, Agency Bonds, Capital Construction Surplus, Investment Income, Statewide Deferred Maintenance Fund, and other funds, as follows: General Government, 2013-2014: \$233,400, 2014-2015: \$1,102,990,800, 2015-2016: \$1,081,459,000; Economic Development Cabinet, 2014-2015: \$21,863,000, 2015-2016: \$42,996,200; Department of Education, 2014-2015: \$4,926,720,600, 2015-2016: \$5,015,541,600; Education and Workforce Development Cabinet, 2013-2014: \$1,708,400, 2014-2015: \$1,279,145,700, 2015-2016: \$1,282,291,400; Energy and Environment Cabinet: 2013-2014: \$742,600, 2014-2015: \$255,537,900, 2015-2016: \$250,116,800; Finance and

Administration Cabinet, 2014-2015: \$867,698,600, 2015-2016: \$871,202,400; Health and Family Services Cabinet, 2013-2014: \$807,361,900, 2014-2015: \$10,284,029,800, 2015-2016: \$10,612,997,600; Justice and Public Safety Cabinet, 2013-2014: \$12,605,400, 2014-2015: \$931,695,100, 2015-2016: \$942,490,600; Labor Cabinet, 2014-2015: \$234,944,700, 2015-2016: \$227,360,200; Personnel Cabinet, 2014-2015: \$63,473,300, 2015-2016: \$64,800,700; Postsecondary Education, 2013-2014: \$2,093,800, 2014-2015: \$6,795,890,500, 2015-2016: \$7,037,014,200; Public Protection Cabinet, 2014-2015: \$97,733,400, 2015-2016: \$98,922,900; Tourism, Arts and Heritage Cabinet, 2013-2014: \$18,716,900, 2014-2015: \$229,609,400, 2015-2016: \$229,164,900; Funds Transfer to General Fund, 2013-2014: \$3,100,000, 2014-2015: \$214,727,700, 2015-2016: \$69,842,100; Phase I Tobacco Settlement Funding Program, 2014-2015: \$101,879,500, 2015-2016: \$74,579,500; not included in the above appropriation amounts are capital project amounts as follows: Capital Projects, 2014-2015: \$6,258,140,000, 2015-2016: \$174,734,300; provides General Fund (Tobacco) moneys for the Early Childhood Advisory Council; provides funds for enhanced 911 emergency services; authorizes the Kentucky Veterans' Centers to continue weekend and holiday pay incentives; allows the Commissioner of the Department of Veterans' Affairs to approve travel and per diem expenses for Congressional Medal of Honor recipients; provides debt service to the Department of Veterans' Affairs; provides funds for grants to Veterans' Service Organization programs; caps the amount of principal an applicant can owe the Kentucky Agricultural Finance Corporation; allows for the allocation of Tobacco Settlement Funds to county councils for administrative costs; provides General Fund (Tobacco) moneys for the Agricultural Development Fund's counties account; stipulates that any unexpended balance from the fiscal year 2014-2015 and fiscal year 2015-2016 General Fund (Tobacco) debt service appropriation shall continue and be appropriated to the Governor's Office for Agricultural Policy; provides debt service to the Kentucky Infrastructure Authority; provides General Fund moneys to support services provided to coal-producing counties by the Kentucky Infrastructure Authority; provides that the Governor's call of the Kentucky National Guard to active duty is a necessary government expense; provides that disaster or emergency aid funds are necessary government expenses; provides debt service for the Department of Military Affairs; provides funds to support the Bluegrass Challenge Academy and the Appalachian Youth Challenge Academy; provides funds for a grant to the National Guard Foundation of Kentucky to support the National Guard Memorial; provides funds to support the 12 multi-county regional industrial park authorities; provides funds for the Joint Funding Administration Program in support of the Area Development Districts; provides funds for support of the Mary Kendall Homes and Gateway Juvenile Diversion; provides funds to the Woodford County Fiscal Court to support a food pantry; declares that General Fund moneys appropriated for the Local Government Economic Development Fund (LGEDF) are based on the State Budget Director's official estimate of coal severance tax collections; details transfer of funds to the Osteopathic Medicine Scholarship Program; stipulates that the transfer of moneys from the General Fund to the LGEDF shall be made after the transfer to the Coal County Pharmacy Scholarship Program has been made; provides that the quarterly calculation and transfer of moneys from the General Fund to the LGEDF be made only after funds are appropriated to the Trover Clinic; provides that the quarterly calculation and transfer of moneys from the General Fund to coal-producing counties through the LGEDF be made only after funds are appropriated to the School Facilities Construction Commission, Water and Sewer Resources Development Fund for Coal-Producing Counties, KIA Infrastructure for Economic Development Fund for Coal-Producing Counties, Infrastructure for Economic Development Fund for Coal-

Producing Counties, Read to Achieve, Robinson Scholars Program, Kentucky Infrastructure Authority, Department for Local Government, Mining Engineering Scholarship Program, Operations and Support Services for school technology in coal-producing counties, Office of Mine Safety and Licensing, Save the Children Program, and the Regional Strategic Development Fund; transfers funds from the LGEDF Multi-County Fund to Operation Unite, Energy Research and Development Fund, 12 multi-county regional industrial park authorities, Shaping Our Appalachian Region administrative costs, the Coal County College Completion Scholarship Program, and the Division of Oil and Gas; provides debt service to LGEDF; establishes parameters for county flexibility with LGEDF allocations; allows Area Development District flexibility; allows Restricted Funds to be used for the continuation of activities within the Office of the Secretary of State; declares that amounts above those appropriated to match Federal Funds for the Help America Vote Act are necessary government expenses; authorizes the State Board of Elections to set a rate for new voter registration fees and expenses; declares that costs associated with special elections, additional precincts with a voting machine, additional registered voters, and new voters are necessary government expenses; declares that costs associated with expert witnesses are necessary government expenses; provides annual and sick leave service credit for any former employee of the Unified Prosecutorial System; details legal services contracts; allows the Attorney General to suspend payment of 50-hour blocks of compensatory time for those attorneys who have accumulated 240 hours of compensatory time and instead convert those hours to sick leave; allows funds to be expended in support of Office of Attorney General; stipulates that funds recovered by the Attorney General through litigation on behalf of the Commonwealth shall be transferred to the General Fund Surplus Account (*aspects vetoed in accordance with veto item #1*); directs the Transportation Cabinet to review the costs related to the distribution of child victims' license plates and transfer revenue received in excess of actual costs to the Child Victims' Trust Fund on an annual basis; directs the Attorney General to transfer settlement funds to the Kentucky Agency for Substance Abuse Policy; requires the Prosecutors Advisory Council to approve compensation for employees of the Unified Prosecutorial System; provides for a recurring Restricted Funds transfer from the Unclaimed Property Fund; allows funds to be expended for the support of operations of the Department of Agriculture; allows the Purchase of Agricultural Conservation Easement (PACE) board to contract directly with land surveyors, real estate appraisers, and other licensed professionals as necessary; allows the Department of Agriculture to receive funds from local and private sources to match Federal Funds for the PACE program; provides funds for the Local Agricultural Fair Aid Program; provides General Fund (Tobacco) moneys for the Farms to Food Banks program; declares that no funds are provided for Auditor of Public Accounts' scholarships; requires that the Auditor be given right of first refusal for audits; allows the Auditor to suspend payment of 50-hour blocks of compensatory time for those attorneys who have accumulated 240 hours of compensatory time and instead convert those hours to sick leave; establishes the Personnel Board operating assessment; provides dependent subsidy for retirees in the Kentucky Employee and County Employee Retirement Systems; declares that water withdrawal fees are tax-exempt; provides debt service to the School Facilities Construction Commission (SFCC); establishes the Urgent Need School Trust Fund; allows the SFCC to make additional offers of assistance; directs the SFCC to conduct a study to determine the need for establishing a private donations facilities match program; provides urgent needs school assistance; provides State Medical Insurance Fund financing; provides dependent subsidy for retired teachers younger than 65; provides debt service for the Kentucky Teachers' Retirement

System budget unit; pledges lesser debt service requirements in future budget bills to reduce the unfunded pension liability; directs that an amount not greater than four percent of the receipts of the state accumulation fund be set aside in the expense fund or expended for the administration of the retirement system; provides funds to support the state's contribution for the cost of retiree health insurance for members not eligible for Medicare who have retired since July 1, 2010; details Appropriations Not Otherwise Classified; provides that repayment of awards or judgments of \$5,000 or more made by the Board of Claims come from the General Fund; provides funds for guardians ad litem and cap their fees at \$500; allows reissuance of uncashed State Treasurer checks; appropriates funds for police officer, firefighter, active duty National Guard, and Reserve survivor benefits; details payment of judgments against the Commonwealth; establishes that interest income from and loan repayments received by the High-Tech Construction/Investment Pool be used to support the Office of Commercialization and Innovation; provides debt service to the Economic Development budget unit; allows unused balances for Bluegrass State Skills Corporation training grants to carry forward; directs the Kentucky Innovation and Commercialization Center Program to remain open for the 2014-2016 fiscal biennium; provides funds for the Northern Kentucky Waterfront Development; provides for transfer from the Common School Fund to the SEEK fund; provides for the allocation of SEEK funds (*aspects vetoed in accordance with veto item #2*); requires local school districts to provide certified and classified employee pay increases; provides funds for the base SEEK program, Tier I component, vocational transportation, secondary vocational education, Teachers' Retirement System employer match, and salary supplements for nationally certified teachers; establishes a timeline for final SEEK calculation; details SEEK adjustment factors; provides funds for facilities equalization funding and retroactive equalized facility funding; requires that the school term for this biennium include at least 177 six-hour instructional days; establishes a modified hold-harmless guarantee; provides equalization funding for critical construction needs schools; details the employment of Department of Education personnel and leadership personnel; provides funding for School Technology in Coal Counties; provides debt service for the Operations and Support Services budget unit; provides funds for the Kentucky Education Technology system and the Statewide IT Academy; provides that the Kentucky Schools for the Blind and Deaf are eligible to participate in the Kentucky Education Technology System; details fund transfers for the Family Resource and Youth Services Centers; provides funds for employer contributions for health insurance and health reimbursement accounts for employees waiving coverage; provides school district flexibility; requires the publication of school districts' annual financial statements and school report cards; requires local district coordination with Head Start; allows the Commissioner of Education to use the Commonwealth School Improvement Fund to meet federal requirements; allows local school boards to request permission from the Commissioner of Education to use capital funds for operating expenses; provides that any funds received from the disposal of surplus property at the Kentucky School for the Deaf, the Kentucky School for the Blind, and the FFA Leadership Training Center be deposited in separate restricted accounts; details requirements for Residential Youth-at-Risk Programs; directs that a member of the State Advisory Council for Gifted and Talented Education may be reappointed but not serve more than three consecutive terms; provides for allocation of Safe School Funds; provides for allocations to School-Based Decision Making Councils; provides funds for the Kentucky School for the Blind and the Kentucky School for the Deaf; provides funds for various Learning and Results Services programs (*aspects vetoed in accordance with veto item #3*); stipulates that Area Vocational Education Centers are eligible to participate in the Kentucky Education Technology

System; provides for the transfer of state-operated and locally operated secondary vocational education and technology centers; provides funds for planning for the establishment of a Regional Collaborative Career Academy; provides funds for additional staffing at vocational/technical schools; provides funds for Teach for America; allows unexpended SEEK appropriations to be used to offset unbudgeted costs for health insurance or life insurance coverage for employees of local school districts; provides funds for the Governor's Scholars Program; provides funds for the Kentucky Center for Education and Workforce Statistics; allows the Environmental Education Council to use interest earnings; requires the Department for Libraries and Archives to distribute per capita grants within appropriated amounts; provides funds for the Local Records Grant Program; directs the Department for Libraries and Archives to collaborate with Kentucky's public colleges, universities, and libraries to explore alternatives to meet the archival needs of the Commonwealth; provides funds for the Public Libraries Facilities Construction Fund; provides funds for the Accessible Electronic Information Service Program; provides funds for interpreter services; authorizes the Education Professional Standards Board (EPSB) to determine EPSB employment details; requires EPSB to establish the minimum number of hours for teacher certification; declares that no funds are appropriated for the Kentucky Principal Internship Program; allows any entities administratively attached to the Energy and Environment Cabinet to receive support from the appropriate budgetary unit(s) of the Cabinet; declares that no funds are provided for the assignment of full-time inspectors to each municipal solid waste landfill operating in the Commonwealth; provides debt service to the Environmental Protection budget unit; provides funds for the Kentucky Pride Program; declares that the cost of emergency fire suppression exceeding \$240,000 annually is a necessary government expense; provides funds for the Office of Mine Safety and Licensing; provides funds for the Division of Conservation to provide direct local aid to conservation districts; provides funds for the Department of Natural Resource's tree nursery programs in Morgan County and Marshall County; provides funds to the Division of Oil and Gas for an update of the Best Practices Manual; provides for energy research and development; provides debt service to the Public Service Commission; provides amounts that lapse from the Public Service Commission to the General Fund; declares that certain water districts and water associations that undertake a waterline extension or improvement project not be required to obtain a certificate of public convenience and necessity; provides debt service to the General Administration budget unit of the Finance and Administration Cabinet; directs the Secretary of the Finance and Administration Cabinet to restrict permanently assigned vehicles to only Constitutional Officers, the Court of Justice, Executive Cabinet Secretaries, law enforcement, or for other public safety purposes; provides funds for expenses including architect and engineering fees, preconstruction planning, development, and other appropriate costs associated with the Rupp Arena/Lexington Convention Center project; declares that any Social Security Contingent Liability Fund expenditures are necessary government expenses; provides that General Fund (Tobacco) moneys under the Finance and Administration Cabinet's Debt Service budget unit lapse; provides debt service to the Facilities and Support Services budget unit of the Finance and Administration Cabinet; provides for county costs; declares the rate of compensation for sheriffs and other law enforcement officers servicing a Circuit or District Court; directs the Secretary of the Finance and Administration Cabinet to provide a listing of free receipts from the Executive, Judicial, and Legislative Branches of government itemized by appropriation units, cost allocation methodology, and a report detailing the rebate of excess fee receipts to the agencies; provides that funds may be expended for the operations of the Department of Revenue; authorizes

property valuation administrators to manage expenditures; prohibits the Kentucky Works Program from participating in the Human Services Transportation Delivery Program or the Coordinated Transportation Advisory Committee; provides debt service to the General Administration and Program Support budget unit under the Cabinet for Health and Family Services; allows the Cabinet for Health and Family Services to establish and fill such positions that are 100 percent federally funded for salary and fringe benefits; allows the Secretary of the Cabinet for Health and Family Services to request a revision or reallocation among the departments and offices of the Cabinet up to 10 percent of the General Fund or Restricted Funds appropriations for approval by the State Budget Director; provides for transfer of excess administrative funds for Medicaid benefits; prohibits payment to Medicaid managed care vendors unless their contract requires collection of service category expenditure information; allows any unexpended General Fund appropriation to carry forward; defines the parameters of the Disproportionate Share Hospital Program; prohibits hospitals from billing patients for services that have been reported to the Cabinet and for which the hospital has received disproportionate share payments; requires that any provider that publicizes that it has paid the provider tax also publicize the amount of payment received from the Department for Medicaid Services during the same period; requires that any funds received through an intergovernmental transfer agreement between the Department for Medicaid Services and other governmental entities be used for the provision of Medicaid benefits; requires quarterly Medicaid budget analysis reports; establishes guidelines for a Medicaid budget deficit contingency plan; provides for transfer of Medicaid Benefits funds; prohibits acute care hospitals from converting to critical access hospitals unless certain requirements are met; allows Medicaid copayments; suspends KCHIP premiums; establishes Medicaid Managed Care Organization reporting requirements; establishes appeals process for denial of service by a Medicaid Managed Care Organization; provides necessary funds to support the phase-in of Supports for Community Living, Acquired Brain Injury, and Michelle P waiver slots; requires a pharmacy provider participating in the Medical Assistance Program or a pharmacy provider serving Kentucky Medicaid recipients through a Medicaid Managed Care Organization to serve an eligible recipient if the recipient does not make the required copayment at the time of service; directs the Cabinet for Health and Family Services ~~[and the University of Louisville to collaborate]~~ to conduct an annual study of the effect of the reduction in contributions to the Quality and Charity Care Trust on the delivery of indigent care in Jefferson County (*vetoed in accordance with veto item #4*); provides that mental health disproportionate share hospital funds are budgeted at maximum amounts permitted by the Social Security Administration; provides for lease payments for the new Eastern State Hospital; provides General Fund (Tobacco) moneys for substance abuse prevention and treatment for pregnant women with a history of substance abuse; provides funds to the regional mental health-mental retardation boards for increased retirement contribution rates; provides General Fund (Tobacco) moneys for the Health Access Nurturing Development Services Program; provides funds for Local and District Health Departments to assist them with employer contributions for the Kentucky Employees Retirement System; provides debt service to the Public Health budget unit; declares that the Department for Public Health shall not interfere with the ability of a local or district health department to receive reimbursement for services provided; provides funds for diabetes services; requires a utilization-based need methodology regarding health facility licensing; provides funds for operational costs for Family Resource Centers and Volunteer Services; provides General Fund (Tobacco) moneys for the Early Childhood Development Program; provides funds for domestic violence shelters, rape crisis centers, and

child advocacy centers; provides funds to restore Child Care Assistance Program services; provides funds for start-up costs associated with placing children with nonparental relatives; provides funds for operational costs for domestic violence shelters; provides funds for operational costs for rape crisis centers; provides funds to increase reimbursement rates for private child caring and placing agencies for therapeutic foster care services; provides funds for continuation of services at the Family and Children's Place in Louisville; provides funds for early intervention services in Madison County; details local match requirements for entities contracting with the Cabinet for Health and Family Services; declares that trailing claims for the Kentucky Access program are a necessary governmental expense; provides funds for Operation Unite; provides General Fund (Tobacco) moneys for the Office of Drug Control Policy; provides funds for the Kentucky Legal Education Opportunity Program; provides funds for the operation of the Madisonville Medical Examiner's Office; provides funds for Court Appointed Special Advocates in Hardin County; provides funds for Public Safety First programs; provides funds for the Kentucky Law Enforcement Foundation Program Fund, training incentive payments, and training incentive stipends; provides funds for local juvenile delinquency prevention programs; authorizes the Department of Juvenile Justice to lease the former Laurel County Regional Juvenile Detention Center; declares that expenses related to the Governor's call of the Kentucky State Police to extraordinary duty are necessary government expenses; provides funds for Kentucky State Police and Vehicle Enforcement personnel training incentives; allows restricted funds to be used to maintain the operations of the State Police; provides funds for an annual training incentive stipend for dispatchers; provides debt service to the State Police budget unit; provides funds to support 15 Trooper R Class officers; allows the Department of Corrections to adjust appropriations between the Community Services and Local Facilities budget unit and the Adult Correctional Institutions budget unit; requires jailer mental health screening training; provides debt service to the Adult Correctional Institutions budget unit; defines prisoner transfer parameters; provides funds for substance abuse programs; requires the Department of Corrections to file annual reports detailing the revenues and expenditures from the Canteen Fund; declares that local jail per diem costs that exceed budgetary limits are necessary government expenses; provides funds for local jails; establishes a pilot project for the conditional parole for infirm inmates (*aspects vetoed in accordance with veto item #5*); provides funds for the Local Corrections Assistance Fund; provides funds for a monthly payment of an annual amount of \$20,000 to each county with a life safety jail or closed jail; provides funds for medical care contracts to be distributed to counties on a partial reimbursement basis for medical claims in excess of the statutory threshold; allows the Public Advocate to suspend payment of 50-hour blocks of compensatory time for those attorneys who have accumulated 240 hours of compensatory time and instead convert those hours to sick leave; provides funds for additional social worker positions; transfers Restricted Funds to the General Fund to support debt service for the Kentucky Human Resources Information System; provides funds from the State Group Health Trust and State Medicaid Administration to implement the Kentucky Employees' Health Plan and Medicaid State Plan cost savings demonstration projects (*aspects vetoed in accordance with veto item #6*); provides funds to support a dependent subsidy for full-time employees of quasi-governmental employers participating in the State Group Health Insurance Program; provides that the funding for the Adult Education and Literacy Funding Program and the Science and Technology Funding Program shall not lapse and shall carry forward; provides for transfer of interest earnings from the Strategic Investment and Incentive Trust Fund; provides General Fund (Tobacco) moneys for the Ovarian Cancer Screening Outreach Program; provides debt

service to the Council on Postsecondary Education; provides refinancing conditions for postsecondary education debt; provides funds for scholarships to the Washington Center for Internships and Academic Seminars, provides funds for the Kentucky Adult Education Funding Program, and provides funds for the Contract Spaces Program (*aspects vetoed in accordance with veto item #7*); provides funds from the Council on Postsecondary Education's base budget for 164 veterinary slots if General Fund appropriations are not sufficient to fully fund the slots; declares that the President of the Council on Postsecondary Education's salary will remain at the same level as he was receiving on January 1, 2012; provides funds for the College Access Program, Kentucky Tuition Grant Program, Teacher Scholarship Program, Kentucky National Guard Tuition Assistance Program, and Kentucky Education Excellence Scholarships, Kentucky Coal County College Completion Scholarships, and Pharmacy Scholarships; provides funds for the Work Study Program; provides for the allocation of excess lottery revenues; provides funds to the Community Operations Board for personnel and programmatic operations of the meeting, community areas, and the performing arts center at Eastern Kentucky University; provides funds for a Dual Credit Program at Morehead State University; provides funds for the Breathitt Veterinary Center at Murray State University (*aspects vetoed in accordance with veto item #7*); provides funds for the Mining Engineering Scholarships and Robinson Scholars; provides funds for the diagnostic laboratories at the University of Kentucky; provides debt service to the University of Louisville; provides funds for the Quality and Charity Care Trust Agreement; directs the Cabinet for Health and Family Services [~~and the University of Louisville~~] to conduct an annual study on the effect of the reduction in contributions to the Quality and Charity Care Trust on the delivery of indigent care in Jefferson County (*vetoed in accordance with veto item #4*); provides funds for the Firefighters Foundation Program Fund and the Firefighters Training Center Fund; provides for the conveyance of Kentucky Community and Technical College System (KCTCS) property; stipulates that employees of KCTCS who are in the University of Kentucky personnel system shall be treated the same, with respect to compensation plans and salary increases implemented by KCTCS, as all other employees of KCTCS; allows guaranteed energy savings performance contracts to be executed for buildings operated by KCTCS; allows KCTCS to establish and implement a mandatory student fee [~~on a college-by-college basis~~] (*vetoed in accordance with veto item #8*); declares that the President of KCTCS be provided no housing allowance beginning January 1, 2015; directs the transfer of moneys from the Kentucky Equine Drug Research Council to the Kentucky Thoroughbred Development Fund; allows the Department of Housing, Buildings and Construction funding flexibility; provides funds for Tourism Grants; requires the Tourism, Arts and Heritage Cabinet to develop a statewide marketing plan for the Tourism, Meeting, and Convention Marketing Fund; provides funds for the Bluegrass State Games; prohibits transfer of funds to the Park Capital Maintenance and Renovation Fund; provides debt service to the Parks budget unit; provides debt service to the State Fair Board; requires proceeds up to \$7,400,000 from sale of real property assigned to the State Fair Board to be transferred to the Finance and Administration Cabinet to offset debt service paid by the Cabinet on behalf of the State Fair Board; provides funds for a training incentive stipend for Fish and Wildlife Resources Conservation officers; provides debt service for the Historical Society budget unit; provides funds for Oral History grants; provides that any entity receiving \$25,000 or less from state or local arts councils is exempt from open meetings and open records laws; provides funds for the Marshall County Arts Commission Children's Theatre; provides debt service for the Kentucky Center for the Arts budget unit; provides for Capital Construction Fund appropriations and reauthorizations; provides for the expiration of

existing line-item capital construction projects; details bond proceeds investment income; provides for appropriations for projects not line-itemized; provides for bond issues for tobacco and non-coal-producing counties; provides that if funds from the Capital Construction and Equipment Purchase Contingency Account or Emergency Repair, Maintenance, and Replacement Account are not sufficient, then expenditures of the fund are necessary government expenses; declares that certain previously appropriated bond funds shall expire; authorizes and appropriates capital projects for various state agencies and universities; requires the Secretary of the Finance and Administration Cabinet and the State Property and Buildings Commission to approve all economic development bonds before issuance; provides for the use of New Economy funds, Economic Development bond funds, and Kentucky Economic Development Finance Authority loan pool; provides that funds for the Commonwealth Office of Technology's major equipment purchases shall be transferred from the Operating Budget as funds are available and needed; sets out requirements for Agency Bond funded projects for public postsecondary institutions; provides authorization for lease-purchase agreements for public postsecondary institutions; stipulates that public postsecondary institutions should not base any decision to proceed with any capital project on an expectation of receiving General Fund moneys for the operations and maintenance of that facility in future bienniums; provides flexibility to KCTCS in the administration of its capital program; sets out coal severance tax projects; provides for fund designations; provides for the expenditure of excess Restricted Funds or Federal Funds receipts; provides for interim appropriation increases; requires revision of appropriation allotments to conform to statutory requirements; provides purpose and transfer restrictions for appropriations expenditure; outlines permitted appropriation obligations; requires that any General Fund or Road Fund appropriation made in anticipation of a lack, loss, or reduction of Federal Funds lapse to the General Fund or Road Fund Surplus Account; requires a state agency entitled to Federal Funds to conform to statutory requirements; provides that any excess General Fund or Road Fund debt service shall lapse, unless directed otherwise by the budget bill; provides that all statutes and portions of statutes in conflict with this bill are suspended, unless otherwise provided; clarifies the construction of budget provisions on statutory budget administration power and duties; provides that the Secretary of the Finance and Administration Cabinet shall interpret all questions arising from the budget bill; provides for the publication of the budget bill; requires the State Budget Director to monitor and report on the Commonwealth's financial condition; authorizes the Secretary of the Finance and Administration Cabinet to prorate administration costs; provides that no portion of the budget bill alone can be construed to confirm or ratify an executive reorganization order; requires the State Budget Director to provide a budget planning report and tax expenditure revenue loss estimates to each branch; provides that any duplicate appropriations be governed by the duplicate appropriation statute; provides for priority of individual appropriations and severability of budget provisions; provides that all unclaimed lottery prize money be credited to the Kentucky Education Excellence Scholarship Reserve Account; provides various workers' compensation requirements; provides that premium and retaliatory taxes be credited to the General Fund; provides for undesignated General Fund and Road Fund carry forward (*aspects vetoed in accordance with veto item #9*); establishes the Next Generation Kentucky Information Highway Fund within the Finance and Administration Cabinet; directs the Executive Branch to carry out all appropriations and budgetary language provisions as contained in the State/Executive Budget; requires semiannual progress reports for information technology projects; [~~directs excess lottery proceeds, except unclaimed prize money, to be deposited in the Budget Reserve Trust Fund Account~~] (*vetoed in accordance with veto item*

#10); [~~requires the Executive Branch budget recommendation to contain total Road Fund appropriations not exceeding six and one half percent of the official revenue estimate made by the Consensus Forecasting Group for the Road Fund~~] (*vetoed in accordance with veto item #11*); allows Civil War reenactors to associate, drill, and parade with firearms and/or swords without permission from the Governor before, during, and after Civil War reenactments and events; mandates that the Finance and Administration Cabinet review all equipment service contracts to maximize savings; designates the official state wine festival; [~~directs that any funds not expended for a specific appropriation in the State/Executive Budget shall be transferred to the Budget Reserve Trust Fund Account~~] (*vetoed in accordance with veto item #7*); stipulates fiscal year 2015-2016 funds expenditure restrictions; directs unexpended debt service to the Budget Reserve Trust Fund; sets out general provisions for the Affordable Care Act, Health Benefit Exchange, Medicaid Funding, and use of funds; outlines the effects of subsequent legislation; provides for appropriation of the Budget Reserve Trust Fund; sets out the debt service template interest rates; establishes the state salary/compensation and employment policy; specifies funds transfers; provides a General Fund Budget Reduction Plan and General Fund Surplus Expenditure Plan (*aspects vetoed in accordance with veto item #12*); provides a Road Fund Budget Reduction Plan and a Road Fund Surplus Expenditure Plan; outlines Phase I Tobacco Settlement Funds; provides a State/Executive Branch Budget Summary; VETOED IN PART.

HB 236

AN ACT relating to fiscal matters and making an appropriation therefor.

The Transportation Cabinet Budget: appropriates \$100,000,000 in fiscal year 2013-2014, \$2,582,482,500 in fiscal year 2014-2015, and \$2,405,560,700 in fiscal year 2015-2016 from the General Fund, Restricted Funds, Federal Funds, and Road Fund for operating costs; appropriates from Road Fund, Bond Funds, and Investment Income for various capital projects; requires the Secretary of the Transportation Cabinet to produce a document that details the 2014-2016 Biennial Highway Construction Program and the 2014-2016 Highway Preconstruction Program Plan for fiscal year 2014-2015 through fiscal year 2019-2020; provides debt service to the General Administration and Support budget unit; allows the Transportation Cabinet and the Energy and Environment Cabinet to receive funds and services for the Adopt-a-Highway Litter Program; directs the Transportation Cabinet to continue the SAFE Patrol Program at the current service level; provides funds to improve public riverports; provides guidelines for ferry boat captain licensure; provides funds for Aviation's operational costs; provides debt service to the Aviation budget unit; [~~provides funds for the Bowling Green Warren County Regional Airport, the Pikeville Commercial Air Service, and the Eastern Kentucky University Aviation Program~~] (*vetoed in accordance with veto item #1*); provides funds for the Economic Development Road lease-rental payments; provides that no portion of the revenues to the state Road Fund accrue to the Debt Payment Acceleration Fund account; stipulates that excess lease-rental payments be transferred to the State Construction Account; provides debt service for Grant Anticipation Revenue Vehicle (GARVEE) Bonds; provides funds for the State-Supported Construction Program, Biennial Highway Construction Program, and Highway Construction Contingency Account (*aspects vetoed in accordance with veto item #2*); authorizes currently enacted projects in the Biennial Highway Construction Plan to continue into the 2014-2016 fiscal biennium; provides funds for the Kentucky Transportation Center, new highway equipment purchases, Federally Supported Construction Program, State Resurfacing Program, and highways maintenance; authorizes the Transportation Cabinet to utilize state construction moneys or Toll

Credits to match federal highway moneys; sets out priorities for use of Federal Aid Highway Funds; provides guidelines for Road Fund cash management (*aspects vetoed in accordance with veto item #3*); provides for carry forward of any unexpended Road Fund appropriations in the Highways budget unit for various programs; directs the Secretary of the Transportation Cabinet to provide delayed projects status reports; directs the Transportation Cabinet and the Personnel Cabinet to develop a plan to revise Transportation Engineering Series salaries; directs the Secretary of the Transportation Cabinet to submit a report on interstate opportunities using existing infrastructure as it relates the Natcher Parkway; provides for the transfer of Road Fund resources for judgments; authorizes the Transportation Cabinet to maximize the use of Toll Credits; provides funds for nonpublic school transportation; provides funds for the County Road Aid Program, the Rural Secondary Program, the Municipal Road Aid Program, and the Energy Recovery Road Fund; provides debt service for the Vehicle Regulation budget unit; provides for Capital Construction Fund appropriations and reauthorizations; provides for the expiration of existing line-item capital construction projects; details bond proceeds investment income; authorizes various capital projects; specifies funds transfers; provides Road Fund budget reduction plan; reduces the Budget Reserve Trust Fund; establishes provisions regarding occupational license fees and revenue sharing; VETOED IN PART.

HB 237

AN ACT relating to road projects and declaring an emergency.

Acknowledges that project authorizations were based upon Transportation Cabinet estimates; authorizes the Transportation Cabinet to expend funds necessary to complete authorized projects, amended only by variations dictated by bid or unforeseen circumstances; establishes funding criteria for road projects with certain designations; prioritizes projects should any additional federal highway moneys become available; requires this bill, in conjunction with 2014 HJR 62, to constitute the six-year road plan; sets out the 2014-2016 Biennial Highway Construction Plan; EMERGENCY.

HB 238

AN ACT making appropriations for the operations, maintenance, support, and functioning of the Judicial Branch of the government of the Commonwealth of Kentucky and its various officers, boards, commissions, subdivisions, and other state-supported activities.

The Judicial Branch Budget: appropriates \$386,916,300 in fiscal year 2014-2015 and \$390,672,600 in fiscal year 2015-2016 from the General Fund, Restricted Funds, and Federal Funds; provides that funds in the Court Operations and Administration appropriation unit carry forward; provides funds for salary improvements; provides that if the Supreme Court retains the 2008 increase in civil filing fees, the additional income, not to exceed \$5,000,000 in each fiscal year, shall be deposited in a trust and agency account for court operations; requires the Administrative Office of the Courts to develop and implement a weighted caseload system to measure and compare judicial caseloads; directs the Administrative Office of the Courts to continue the operations and current schedule of night court in Okolona and Middletown in Jefferson County; provides funds to compensate local units of government for providing court space and for costs incurred in the development of local court facilities; provides that funds in the Local Facilities Fund carry forward; provides that the use allowance for the Fayette County Courthouse is contingent upon Short Street in Lexington remaining open to traffic; provides that funds in the Local Facilities Use Allowance Contingency Fund carry forward; provides funds for

actuarial-assessed judicial retirement benefits; declares that no pension benefit increase be granted to recipients of a retirement allowance; reauthorizes a docket management capital project; details deferred funding; authorizes leases; clarifies that nothing in this Act shall reduce funding of court facility projects authorized by the General Assembly; provides that, if a court facility project is occupied and use allowance funding is insufficient, use allowance payments must be approved from the Local Facilities Use Allowance Contingency Fund, or if funds are not available in the Local Facilities Use Allowance Contingency Fund, the use allowance payments shall be deemed a necessary government expense; provides the Director of the Administrative Office of the Courts with expenditure authority; provides for severability of budget provisions and priority of individual appropriations; declares that KRS 48.312 controls duplicate appropriations; provides that any unexpended balance remaining in the Court's Restricted Funds or Federal Funds accounts carry forward; provides for the final budget document; provides for the transferability of funds; provides for appropriations revisions; includes funds for trial commissioner salaries as provided for in the Judicial Branch Budget Recommendation; provides that issuance of paychecks scheduled for June 30, 2014, and June 30, 2015, shall not be issued prior to July 1, 2014, and July 1, 2015; provides for participation in any Budget Reduction Plan or Surplus Expenditure Plan.

HB 246

AN ACT relating to military affairs.

Amends KRS 171.345 changing "Kentucky Military Museum" to "Kentucky Military History Museum"; adds ex officio voting members to the Kentucky Military History Museum Committee.

HB 253

AN ACT making appropriations for the operations, maintenance, and support of the Legislative Branch of the Commonwealth of Kentucky.

The Legislative Branch Budget: appropriates from the General Fund \$56,437,200 for fiscal year 2014-2015 and \$60,139,500 for fiscal year 2015-2016; appropriates from Restricted Funds \$50,000 for fiscal year 2014-2015 and \$120,000 for fiscal year 2015-2016, with appropriations allocated as follows: General Assembly, 2014-2015: \$19,754,000; 2015-2016: \$20,625,600; Kentucky Legislative Ethics Commission, 2014-2015: \$388,500; 2015-2016: \$388,600; Legislative Research Commission, 2014-2015: \$36,733,200; 2015-2016: \$39,633,900; directs the LRC to develop a policy recommendation regarding legislator travel and per diem expenses; directs the LRC to study off-budget accounts utilized for Restricted Funds of state agencies.

HB 260

AN ACT relating to all-terrain vehicles.

Amends KRS 189.515 to permit an all-terrain vehicle operator 16 years of age or older to cross a public roadway with a posted speed limit of 55 mph or less without protective headgear.

HB 264

AN ACT relating to public advocacy.

Amends KRS 31.100 to define "defending attorney," "non-lawyer assistants," and "plan"; amends KRS 31.030 to require the department to file annual reports with the Legislative

Research Commission; amends KRS 31.110 to establish that, in the case of a minor in specific instances, the department may have access to the court file without a formal court order using a release signed by the minor or his or her guardian; amends 31.120 to require that, at the time of sentencing, the court enter an Order In Forma Pauperis for purposes of appeal without having to show further proof of continued indigency; amends KRS 31.185 to include certain expenses incurred as charges against the local governmental entity; amends KRS 31.219 to clarify when the attorney's duty to file a notice of appeal arises; amends KRS 31.220 to set forth when KRS Chapter 31 applies to United States courts; amends KRS 31.211 to conform.

HB 276

AN ACT relating to incompatible offices.

Amends KRS 61.080 to prohibit a person from holding any two appointed offices of special purpose governmental entities that each have the authority to levy taxes, and to prohibit a person from holding a state office and an appointed office of a special purpose governmental entity that has the authority to levy taxes, except as otherwise required by statute.

HB 279

AN ACT relating to the Commonwealth postsecondary education prepaid tuition trust fund.

Amends KRS 164A.700 to add a utilization period definition for Kentucky's affordable prepaid tuition plan; amends KRS 164A.705 to limit the growth of a KAPT plan to two years after the plan's utilization period; amends KRS 164A.707 to prohibit extending the projected college entrance year of a KAPT contract; amends KRS 164A.709 to revise the refund provisions of a KAPT plan based on the utilization period end date, clarify provisions for transferring a KAPT account to another qualified tuition program, and set June 30, 2028, as the closure date of the KAPT fund and office.

HB 281

AN ACT relating to special license plates.

Amends KRS 186.162 to reduce the price of an initial Fraternal Order of Police special license plate from \$45 to \$38 and increase the donation amount to the Kentucky Fraternal Order of Police Death Fund from \$5 to \$10.

HB 286

AN ACT relating to creation of a technical advisory committee on pharmacy to the Advisory Council for Medical Assistance.

Amends KRS 205.590 to create a technical advisory committee on pharmacy to the Advisory Council for Medical Assistance consisting of five members appointed by the Kentucky Pharmacists Association.

HB 289

AN ACT relating to military affairs.

Amends KRS 154.12-203 to adjust the membership for the Kentucky Commission on Military Affairs to reflect current commands at Fort Knox and Fort Campbell and adds the Huntington District Army Corp of Engineers.

HB 291

AN ACT relating to construction of unregulated electric generation facilities and declaring an emergency.

Amends definition of “merchant electric generating facility” in KRS 278.700 to use aggregate output of all structures and facilities; amends KRS 278.704 to include all generation facilities including wind turbines in setback requirements and adds requirement for public meeting to inform and answer questions about a proposed facility construction project to be held upon request of local government or PSC, specify notice requirements, require state agencies to be notified, apply provisions to any project currently acquiring property rights, require that, for purposes of site compatibility certificates, only the exhaust stack or actual generation facilities must comply with setbacks, and establish that public meeting requirements do not apply to projects that already have a certificate of construction and that setbacks apply to site compatibility certificates for solar or wind that are applied for after January 1, 2015; amends KRS 278.706 to require additional public meeting prior to filing application with the Siting Board and to include wind turbines in setbacks; amends KRS 278.708 to add land use changes to site assessment report; amends KRS 278.710 to extend time in which siting board shall act on merchant plant application from 90 to 120 days and, if a hearing is requested, from 120 to 180 days, includes wind turbines and all generation facilities in setbacks; amends KRS 278.714 to extend time in which siting board shall act on transmission line or CO₂ pipeline application from 90 to 120 days and, if a hearing is requested, from 120 to 180 days; creates new section of KRS Chapter 278 to specify that home rule sections of the KRS are not diminished by this Act; creates new section of KRS Chapter 96 to require city-owned utilities to hold public meeting to inform and answer questions about a proposed wind generation facility construction project to be held upon request of local government, specify notice requirements for such a meeting, and apply provisions to any project currently acquiring property rights; EMERGENCY.

HB 296

AN ACT relating to reorganization.

Amends KRS 11.065 to add the chief information officer to the Governor’s Executive Cabinet; amends KRS 11.200 to reduce the membership of the Commission on Small Business Advocacy to 13 members to be appointed by the Governor, with two members representing each congressional district and one at-large member; attaches the commission to the Department for Business Development; amends KRS 12.020 to place the Office of Legal Services within the Office of the Secretary, abolish the Department for New Business Development, the Department for Existing Business Development, the Department of Commercialization and Innovation, and the Department of Financial Incentives and transfer their functions and positions to the Department for Business Development, established under the Office of the Secretary, attach the Bluegrass State Skills Corporation to the Department for Business Development, and attach the Kentucky Economic Finance Authority to the Office of Financial Services; amends KRS 42.722 to define “technology infrastructure”; amends KRS 42.724 to name the chief information officer, establish the Division of Enterprise Architecture within the Office of Enterprise Technology, abolish the Division of Printing Services, rename the Division of Financial Information Technology the Division of Revenue Application Development, rename the Division of Support Services the Division of Development Support Services, rename the Division of Agency Information Technology the Division of Agency Application Development, establish the Division of Data Management Services within the Office of Application Development, and

establish the Office of Information Technology Service Management within the Commonwealth Office of Technology; amends KRS 42.726 to expand the duties of the Commonwealth Office of Technology; repeals KRS 154.12-214, 154.12-215, 154.12-216, 154.12-217, 154.12-218, 154.12-220, 154.12-222, 154.12-225, 154.12-2333; confirms Resolution 13-03 of the Kentucky Economic Development Partnership dated June 18, 2013.

HB 301

AN ACT relating to fiscal matters.

Amends KRS 154.60-010 and 154.60-020 to simplify and streamline the provisions of the Small Business Tax Credit Program administered by the Kentucky Economic Development Finance Authority; creates a new section of KRS Chapter 154 to declare the name of the program; amends KRS 141.384 to conform; amends KRS 132.200 to exempt recreational vehicles held for sale in a retailer's inventory from local ad valorem (property) taxation effective January 1, 2015; requires the Lexington-Fayette Urban County Government (LFUCG) to remit [~~prior to April 1, 2015~~] a payment of \$2,500,000 to the Commonwealth as reimbursement of the Local Government Economic Development Fund moneys that were transferred to the LFUCG and used for the planning and design of the renovation of Rupp Arena pursuant to the 2012-2014 Executive Branch Budget; amends 2014 Regular Session HB 235/EN to authorize additional single-county coal severance tax projects; declares effective date of local ad valorem tax amendment; VETOED IN PART.

HB 314

AN ACT relating to landscape architects.

Creates a new section of KRS Chapter 323A to regulate inactive licenses and retired licenses for landscape architects; amends KRS 323A.010, 323A.120, and 323A.200 to remove references to expired, suspended, revoked, or inactive licenses; changes the board's name to the "Kentucky Board of Landscape Architects"; repeals and reenacts KRS 323A.040 to establish the requirements for licensure as a landscape architect; amends KRS 323A.050 to remove the examination exemption for reciprocity applicants; repeals and reenacts KRS 323A.060 to set the types of fees that the board may charge; amends KRS 323A.080 to direct how a landscape architect may sign and seal work product; repeals and reenacts KRS 323A.100 to establish license renewal, expiration, and restoration standards; amends KRS 323A.110 to clarify reasons for licensee discipline, and increase the maximum fine the board may levy to \$10,000 per violation; amends KRS 323A.170 to state that board members will be licensed landscape architects, and delete outdated language; amends KRS 323A.180 to allow election of board officers; amends KRS 323A.190 to grant board members a \$200 per diem; amends KRS 323A.210 to update the board's administrative regulation authority; amends KRS 323A.230 to allow the board to make a direct request to enjoin violations; amends KRS 323A.990 to make a violation of KRS Chapter 323A a Class A misdemeanor; amends KRS 224.10-052 to conform; repeals KRS 323A.025, 323A.070, and 323A.090.

HB 316

AN ACT relating to insurance for tangible personal property to secure a loan by a consumer loan company.

Amends KRS 286.4-560 to provide that, in addition to authority of a licensee to request a borrower to insure tangible personal property used as security for a loan, a consumer loan

licensee may also request and secure credit property insurance on the tangible personal property, provided that no part of the cost thereof shall be charged to the borrower unless the insurer agrees that it will not exercise its right to subrogation against the borrower under the licensee's policy, and require that any disclosure relating to insurance written in connection with a loan transaction be delivered to the borrower within 30 days of the date of the loan.

HB 318

AN ACT relating to military affairs and declaring an emergency.

Creates a new section of KRS Chapter 36 to describe the purposes of Bluegrass Station Division; amends KRS 56.820 to allow the secretary of the Finance and Administration Cabinet to approve modifications to certain existing buildings if the source of payments for the improvements are through an agreement with an agency of the United States government, and require the secretary to report any lease modification to the Legislative Research Commission within 30 days; EMERGENCY.

HB 322

AN ACT relating to special military license plates.

Amends KRS 186.041 to establish a special military service academy license plate available to current attendees or graduates of the United States service academies and clarify that military service academy license plates will use the standard veterans plate template with stickers signifying the particular service academy; amends KRS 186.162 to establish the same fees for the special military service academy license plates as for standard military special plates; amends KRS 186.166 to conform; establishes delayed effective date of January 1, 2015.

HB 328

AN ACT relating to reciprocal interstate agreements pertaining to coal mining.

Amends KRS 224.10-100 to authorize the secretary or designee to enter into, execute, and enforce reciprocal agreements with other states relating to compliance with KRS Chapters 350, 351, and 352 and the administrative regulations promulgated under those chapters.

HB 331

AN ACT relating to municipal classification.

Creates a new section of KRS Chapter 81 to establish a two-class classification for cities based on city government model type, that being cities of the first class which are cities having the alderman form of government, and home rule cities which are cities having either the mayor-council plan, commission plan, or city manager plan, and require the city to report its classification to the Secretary of State initially and when a reclassification occurs; creates a new section of KRS Chapter 81 to establish a process that allows cities, when the statutes establish a population limit based on the federal decennial census, to petition the Circuit Court of jurisdiction to declare the city's population at a certain level in the period between censuses; amends KRS 81.028 to preserve the authority of certain cities within consolidated local governments already doing so to maintain their own fire and police departments and civil service and pension systems; amends various sections of KRS Chapter 81 to conform with the proposed reclassification system dealing with the governmental forms; amends KRS 81A.530 relating to the annexation of cities smaller than 1,000 persons by larger cities; amends KRS 83A.160 to establish a procedure for becoming a city of the first class; creates a new section of

KRS Chapter 67A to affirm that the Act in and of itself does not affect the status or powers of an urban-county government that are derived from municipal powers assigned to the highest class at the time of the formation of the urban-county government; creates a new section of KRS Chapter 83A to specify that a city, through meeting a population requirement assigned by the statutes set out in the section, retains the power or duty if the city falls under that population requirement, but if the power or duty is in conflict with another power or duty assigned to the city for meeting a population requirement, then the requirement for the higher population count prevails; creates a new section of KRS Chapter 83A to preserve the mayoral term limits expressed in Section 160 of the Constitution; amends the following chapters or statutes to accommodate the proposed reclassification system: KRS 82.085 relating to differential tax rates by removing mention of class; KRS 82.095 regarding supplemental taxes available to certain cities in consolidated local governments by replacing mention of class with commensurate population limits; various sections of KRS Chapter 83A relating to organization of government in cities to conform to new system of classification; KRS 11.200 relating to appointments on the Small Business Advocacy Commission by replacing mention of class with commensurate population limits; KRS 15.705 relating to appointments to the Prosecutors Advisory Council by replacing mention of class with commensurate population limits; KRS 15.755 relating to the ability of county attorneys' practice of law in certain local governments by replacing mention of class with assigned population limits; KRS 39F.160 relating to rescue squad taxing district board appointments by replacing mention of class with commensurate population limits; KRS 41.240 relating to securities and obligations accepted by the State Treasurer from cities to allow any city to qualify rather than selected cities; KRS 56.140 relating to investment of obligations by cities to allow home rule class cities rather than selected cities to qualify; KRS 61.080 relating to incompatible offices by making mayors and city legislative body members offices incompatible in all cities; KRS 62.055 relating to the bonds of county clerks by requiring a bond of \$100,000 by counties containing cities of classes other than the first class, which is \$500,000, or containing an urban-county, which is \$400,000; KRS 64.012 relating to county clerks' fees concerning certain candidates for city office's fees to remove mention of class and make the same fees apply for all cities; KRS 64.530 relating to pay of fiscal court members in relation to city size; KRS 65.156 relating to actuarial evaluations of local government retirement systems by removing mention of city of former second class; KRS 65.7623 relating to Commercial Mobile Radio Service Board members' appointments by removing mention of class; KRS 67.060 relating to primaries in county commissioner elections by replacing mention of class with commensurate population limits; KRS 67.180 and 67.185 relating to county motor vehicle insurance purchasing by granting the authority to cities in all classes but first; KRS 67.323 relating to county fire department merit systems by specifying those that have not created one pursuant to law, rather than limiting to cities of the former second class; KRS 67.750 relating to net profits and gross receipts license taxes levied by cities to set limit at former fifth class lower population limit, but to grandfather in cities with populations below that which imposed a license fee at a percentage before January 1, 2014; amends KRS 67A.500, 67A.570, and 67A.600 relating to urban-county governments' pension funds by removing mention of class; amends KRS 68.200 relating to licenses fees on rental motor vehicles to specify that those cities formerly classified as first to third classes retain the right to levy the fee; amends KRS 68.202 relating to a gross receipts of cable television tax to specify that those cities formerly classified as second class retain the right to levy the fee; amends KRS 69.010 relating to the representation of the Commonwealth's attorney representing the Commonwealth in civil cases to set the limit for not

being required to at cities with populations of at least 25,000; amends KRS 69.105 relating to the oath giving powers of the stenographer for the Commonwealth's attorney to extend it statewide; amends KRS 70.320 relating to the appointment of deputy constables to preserve the status quo; amends KRS 74.120 to allow all cities to contract and be a part of water districts, not excluding cities of the former sixth class; amends KRS 74.370, relating to the powers of water districts to issue bonds being that of all cities under KRS 96.350 to 96.510; amends various sections of KRS Chapter 76, relating to metropolitan sewer districts and subdistricts, to permit the formation through population standards rather than city classification; amends various sections of KRS Chapter 77 relating to air pollution control districts, to permit the formation through population standards rather than city classification; various sections of KRS Chapter 90 dealing with city civil service in cities of the former second and third classes to permit the formation by any city; KRS 91A.040, relating to city audits to reflect current provisions through population standards rather than city classification; KRS 91A.180 relating to the sale, lease, or improvement of public property to apply to remove class restrictions; KRS 91A.350 relating to tourist and convention commissions to specifically include urban-county governments and apply to cities of home rule class; KRS 91A.392 relating to transient room taxes, to establish authorized cities being those of the first class and those formerly of the second class; KRS 91A.400 relating to the restaurant tax to allow for authorized cities, those being cities of the former fourth and fifth classes; KRS 91A.550 and 91A.555 relating to management districts, to specify cities of the home rule class, rather than former second to sixth classes as being able to form and operate the districts; KRS 92.280 relating to the general taxing powers for cities other than first class to maintain the status quo, but clarify that urban-county governments are under the provisions; KRS 92.281 relating to occupational license taxes to specify by population rather than class those cities permitted to levy on a percentage basis, and allow those cities below 1,000 in population which did so before January 1, 2014, to continue to do so; KRS 92.290, relating to the taxing situs of cities, to extend provisions to all cities, rather than those specified formerly of the third, fifth, or sixth classes; KRS 92.300 relating to taxing exemptions to remove certain class-specific requirements and specify that the exemptions apply to cities of the home rule class rather than former second to sixth classes; KRS 92.305 relating to the taxation of abandoned urban property to apply to cities of the home rule class rather than former second to sixth classes; KRS 92.330 and 92.340 relating to city taxes being expressed through ordinance, to apply to cities of the home rule class rather than former second to sixth classes; KRS 92.810 relating to enforcement of collection of tax bills, apply to cities of the home rule class rather than former second to sixth classes and clarify that provisions apply to urban-county governments; creates new sections of KRS Chapter 92 to provide for a uniform tax assessment procedure for cities that choose to collect their own taxes; amends various sections of KRS Chapter 95 relating to fire and police departments generally including auxiliary police, discipline of members in certain cities, hours of work and pay for certain cities, insurance, and city-based pension systems and funds for police and fire departments to unify provisions under home rule, or to preserve through a registry of cities' populations when in certain former classes; amends various sections of KRS Chapter 96 relating to utilities in cities, including city control of private utilities, stock in utilities; city authorizations to provide utilities, combined provision of electric and water plants, transport, provision, funding, use of profits, and miscellaneous provisions relating to city utilities, to unify provisions under home rule or to preserve through a registry of cities' populations when in certain former classes; amends various sections of KRS Chapter 97, relating to city parks and recreational activities, to unify provisions under home rule or to preserve

through a registry of cities' populations when in certain former classes; amends various sections of KRS Chapter 99 relating to urban renewal to assign population limits to city definition for rehabilitation of blighted areas, and relating to assigning population limits to cities eligible to host local development authorities; amends various sections of KRS Chapter 100, relating to planning and zoning, establishing a population limit for the definition of "subdivision" and including provisions relative to cities within counties containing consolidated local governments governing land use, as well as provisions relating to binding element enforcement, to establish through population limits the cities eligible to participate when distinguished; amends KRS 102.010 relating to chambers of commerce, to allow in all cities; amends KRS 104.520 and 104.580, relating to flood control districts, to preserve through population limits the participation and effects of counties containing cities of the prescribed former classes; amends KRS 106.010 and 106.200 relating to the acquisition and disposition of waterworks to allow cities of the home rule class to do so, which assignments were formerly cities of the former second to sixth classes; amends various sections of KRS Chapter 107 relating to city improvements including water conducting infrastructure to preserve through population limits cities of the former classes to which this authority was available, including powers in community improvement districts; amends KRS 108.110 relating to ambulance service district board appointments to allow the appointment of directors based on city population; amends KRS 117.035, to allow all boards of election to employ staff, rather than in just counties containing cities of the former first and second classes; amends KRS 118.255, relating to candidate fees for cities, to make all the same; amends KRS 118.315, relating to nomination of candidates, to apply to home rule class cities rather than cities of the former second to sixth classes; amends KRS 118.367 relating to statement of candidacy forms to apply to home rule class rather than cities of the former second to sixth classes; amends KRS 132.200, relating to the bonds of property valuation administrator, to reflect the population limits of former cities of the second class; amends KRS 133.020 relating to county board of assessment appeals to remove requirement that in certain cities the appointee must be a certified real estate appraiser without mayoral certification that there is an inability to find one; amends KRS 134.420, relating to filing tax liens on delinquent property in the county clerk's office, to reflect the requirement to do so for cities with populations equal to the cities of the former third to fifth classes; amends KRS 136.190 relating to notification of boundaries to franchise tax payers, the county, and the Department of Revenue, to use population limits for cities of the former second to sixth classes; amends KRS 134.616 relating to the exclusion of municipal utilities from the revenue tax for telecommunications providers to remove reference of city class; amends KRS 147.640, relating to area planning commissions and the passage required for affirmative votes for constituent cities, to replace class with population limits; amends KRS 151.601, relating to 2020 water management planning council membership, to replace class reference to cities with population limits; amends KRS 154.33-520, relating to board members of the East Kentucky Development Corporation, to allow any city in a participating county to participate rather than only a city with the largest class in each county; amends various sections of KRS Chapter 160 relating to board of education members to specify, for the various independent board of education participation that is regulated by city class, use of a register naming cities of the former classes to maintain the status quo; KRS 162.020 relating to independent school districts to prohibit the operation of such schools outside the district when the county contains a designated city which is a city of the former second class; amends KRS 162.440 and 162.450 relating to school insurance, to allow designated schools to purchase insurance, when such city is a former city of the second class; amends KRS 164.970, relating to

police powers of police of postsecondary institutions, to remove reference of cities and allow police powers to these officers if the institution authorizes it in writing; amends various sections of KRS Chapter 165 relating to municipal colleges to preserve the authority expressed formerly through class and now expressed through population; amends KRS 172.170 and 172.180 relating to county law libraries to remove reference of city class and use populations of the former classes instead; amends various sections of KRS Chapter 173 relating to public libraries to remove references to class and use city populations instead that are reflective of the former classes; amends KRS 177.037, relating to community boundary road signs, to remove reference to class entirely; amends KRS 177.330, relating to the construction of roads through certain cities at the discretion of the Department of Rural and Municipal Aid to replace reference to class with a population limit reflective of the former classes; amends KRS 177.9771, relating to extending or deleting portions of the extended weight coal haul road system, to allow any city rather than cities of the former four largest classes to make such recommendations to the transportation secretary; amends KRS 178.337, relating to city roads in a county containing a consolidated local government being eligible to be part of the county through road system, to remove mention of class; amends KRS 179.070, relating to the powers of the county road engineer in respect to cities in the county, to remove mention of class and replace with the commensurate population limit; amends KRS 179.470, relating to the maintenance of subdivision roads, to replace mention of class and replace with the commensurate population limit; amends various sections of KRS Chapter 181, relating to the financing to include tolls and maintaining constructing bridges and tunnels to remove mention of class and allow any city to operate under these provisions, as well as specifying that urban-county governments have these powers; amends various sections of KRS Chapter 183 relating to air board membership, bonding, and security to remove references of class and replace with commensurate population limits; amends KRS 184.010 and 184.020 relating to the establishment of public road districts to remove mention of class and replace with commensurate population limits; amends KRS 186.050 relating to the registration of motor vehicles exceeding 18,000 pounds to remove mention of class and replace with commensurate population limits; amends KRS 189.280 relating to regulating vehicles by cities to remove mention of class and replace with commensurate population limits; amends KRS 199.410 relating to boarding and lodging homes for children to replace mention of class and replace with a commensurate population limit; amends various sections of KRS Chapter 212 relating to local health departments to replace mentions of second class and replace it with a population limit of 15,000; amends KRS 216.100 relating to the funding of municipal hospitals by allowing home rule class cities to do so rather than just cities of the former second to fifth classes; amends various sections of KRS Chapter 220 relating to sanitation districts to replace the authorities and restrictions based on classification with either a commensurate population or by using cities of the home rule class; amends KRS 224.43-315 and 224.43-340 relating to universal collection to replace use of class with commensurate population limits, while allowing cities already doing so to continue, or through the creation of a registry capturing cities of the former second class as of August 1, 2014; amends KRS 227.410 relating to the regulation of gas heaters by certain cities to replace mention of class with commensurate population limit; amends KRS 238.555 relating to the operation of charitable gaming facility bingo sessions by replacing the mentions of class with commensurate population limits; amends KRS 281.014 relating to the issuance of taxicab and limousine certificates to replace mention of class with commensurate population limits; amends KRS 281.635 relating to the powers of cities to regulate taxicabs to allow all cities to regulate rather than cities of the former first to fifth classes; amends KRS 281.6602 relating to the

issuance of taxicab and limousine certificates to replace mention of class with commensurate population limits; amends KRS 286.7-430 relating to capital stock of industrial loan corporations in certain cities by replacing mention of class and replacing with commensurate population limit; amends KRS 241.160 and 241.170 relating to the creation of and jurisdiction of city alcoholic beverage control administrators by replacing mention of class with commensurate population limit, or allowing new authorities to create the office under certain conditions; amends various sections of KRS Chapters 242, 243, and 244 relating to local alcoholic beverage control to remove mention of class and in some instances using commensurate population limits, in other instances using grandfathering provisions, or registries to preserve certain authorities; amends KRS 363.510 and 363.600 relating to standard weights and measures to remove reference to city sealers in their entirety; amends KRS 381.720 relating to abandoned cemeteries, to give all cities the power to condemn the land for public cemeteries; amends KRS 381.780 to allow all cities to administer open toilets as public nuisances; amends KRS 382.220 and 382.225 relating to real property indexes to replace reference of class with commensurate population limit; amends KRS 424.220 relating to the preparation of statements of funds collected to replace mention of class with commensurate population limit for exclusions; amends KRS 605.050, relating to the appointment of chief probation officers, to replace mention of class with commensurate population limit; amends KRS 78.531, 363.670, and 427.150 to conform; repeal various sections of KRS to conform.

HB 336

AN ACT relating to removal of electrical distribution installations on surface mine sites.

Amends KRS 350.090 to require a mining permittee to include in the reclamation plan removal of electric distributions installations on the surface including poles, wires, and other attachments unless the permittee has been granted an alternative post-mine use that is industrial, commercial, or residential, allow the cabinet to specifically approve retention of electric distribution installations, exempt electric distribution systems that serve persons other than the permittee, and exempt electrical transmission lines.

HB 337

AN ACT relating to the application of military service and other experience toward the licensing of heating, ventilation, and air conditioning professionals.

Creates a new section within KRS 198B.650 to 198B.689 to require recognition of military training and experience toward application for master heating, ventilation, and air conditioning contractor's or journeyman heating, ventilation, and air conditioning mechanic's licenses provided that the military training and experience is equivalent to the statutory requirements and that the applicant was actively engaged in that occupation for not less than two years; amends KRS 198B.664 to implement a 60-day grace period after the expiration of a license to allow HVAC professionals to renew the license while still practicing, authorize board to renew licenses on or before the last day of the licensee's birth month, allow board to terminate a license at the end of the 60-day grace period, and require licensees with terminated licenses to apply for the reinstatement of a license after paying a renewal fee and a reinstatement fee; amends KRS 198B.658 to establish new licensing requirements for HVAC master contractors and journeyman mechanics; repeals KRS 198B.662.

HB 343

AN ACT relating to the criminal justice system.

Amends KRS 431.215 to change the date on which state financial responsibility for newly convicted offenders begins; amends KRS 441.045 to specify the medical payment rate for state prisoners in local county jails; amends KRS 520.010 to include cell phones within the definition of dangerous contraband; amends KRS 17.500 to include possessing or viewing child pornography within the list of designated sex crimes; amends KRS 197.045 to allow the Department of Corrections to vary the amount of good time received by inmates based upon the program the inmate has completed; amends KRS 439.563 to make a technical correction.

HB 349

AN ACT relating to workers' compensation reporting requirements.

Amend KRS 342.012 to require partnerships and limited liability companies to provide documents to the commissioner if requested; delete the provision for annual filing of partnership agreements, articles of organization, and tax returns with the Department of Workers' Claims.

HB 354

AN ACT authorizing the payment of certain claims against the state which have been duly audited and approved according to law, and have not been paid because of the lapsing or insufficiency of former appropriations against which the claims were chargeable, or the lack of an appropriate procurement document in place, making an appropriation therefor, and declaring an emergency.

Appropriates funds for the payment of claims against the Commonwealth;
EMERGENCY.

HB 357

AN ACT relating to self-service storage space insurance.

Amends KRS 304.9-230 to create a self-storage space insurance limited line of authority for an agent's license; creates a new section of Subtitle 9 of KRS Chapter 304 to define terms relating to self-service storage space insurance, including specification that it is the primary coverage for the occupant of a self-service storage space; creates a new section of Subtitle 9 of KRS Chapter 304 to authorize an operator of a self-service storage facility to offer and disseminate insurance for personal property located within a leased space of the facility on behalf of and under the control of a limited lines self-service storage space insurance producer, subject to specified requirements; creates a new section of Subtitle 9 of KRS Chapter 304 to require an operator of a self-service storage facility that offers and disseminates insurance to provide specified consumer protection disclosures to the occupant leasing the space.

HB 359

AN ACT relating to alcohol monitoring.

Creates a new section of KRS Chapter 431 to allow courts to order a person to wear an electronic alcohol monitoring device as a condition of pretrial release; amends KRS 431.520 to conform; amends KRS 533.030 to allow alcohol monitoring as a condition of probation or conditional discharge; amends KRS 533.250 to allow alcohol monitoring during pretrial diversion; amends KRS 403.761 to allow alcohol monitoring when a domestic violence order is substantially violated.

HB 364

AN ACT relating to reemployment of retired police officers.

Creates a new section of KRS Chapter 70 to define “police officer”; creates a new section of KRS Chapter 70 to permit sheriff’s offices to employ retired police officers provided the officer participated in the Law Enforcement Foundation Program, retired with at least 20 years of service credit with no administrative charges pending, and met the separation of employment requirements so that retirement benefits from Kentucky Retirement Systems were not voided; creates a new section of KRS Chapter 70 to provide that retired police officers employed by a sheriff’s office shall continue to receive the benefits they were eligible to receive upon retirement but shall not accrue any additional retirement or health benefits during reemployment; provides that retirement and any health contributions shall not be paid to Kentucky Retirement Systems or the Kentucky Employees Health Plan on a retired officer who is reemployed under these provisions; amends KRS 61.637 to conform.

HB 367

AN ACT relating to nonpartisan elections.

Amends KRS 83A.045 and 83A.170 to require instruction of voters in a primary or regular election to vote for “up to” the number of candidates for which they may vote; amends KRS 83A.100 to require that the two candidates for the office of legislative body member receiving the highest number of votes by eligible voters be deemed nominated from such ward; repeals KRS 83A.110 relating to staggered terms for legislative body members.

HB 369

AN ACT relating to the statute of limitations for written contracts.

Amends KRS 413.160 to reset the statute of limitations for actions on a written contract at 10 years instead of the current 15-year period; amends KRS 413.090 to conform.

HB 375

AN ACT authorizing associations and member underwriters authorized to transact insurance in this state to also qualify as eligible surplus lines insurers.

Amends KRS 304.3-070 to authorize an association, including incorporated and individual unincorporated underwriters, to transact insurance in this state subject to minimum capital and surplus requirements, subject to a restriction on association members to solely conduct the business of underwriting; provide an exemption from the definition of a Lloyd’s plan insurer and the requirements of Subtitle 28 of KRS Chapter 304 relating to Lloyd’s insurers, and allow qualification as eligible surplus lines brokers; amends KRS 304.3-120 to exempt associations and underwriters authorized to transact insurance in this state pursuant to Section 1 of this Act from the requirements of this section; amends KRS 304.10-070 to authorize associations, including incorporated or individual unincorporated underwriters, authorized to transact insurance in this state to place surplus lines coverage if the syndicates within the association are listed on the quarterly list of alien insurers maintained by the National Association of Insurance Commissioners.

HB 379

AN ACT relating to the delivery of cremated remains.

Amends KRS 367.97524 to authorize funeral directors to deliver cremated remains to the designated individual specified on the cremation form, removes the phrase “registered mail,” and allows cremated remains to be delivered by a method that has an internal tracking system that provides a receipt signed by the person accepting delivery.

HB 388

AN ACT relating to best system emission reduction for existing electric generating units.

Creates new sections of KRS Chapter 224 to establish criteria by which the Energy and Environment Cabinet can establish performance standards for the regulation of carbon dioxide emissions from existing fossil fuel-fired electric generating units; establishes different criteria for coal-fired electric generating units and for natural gas-fired electric generating units, allow performance standards to be adjusted on a case-by-case basis; requires that any state plan to regulate carbon dioxide emissions be issued under Section 111(d) of the federal Clean Air Act, direct the cabinet to promulgate administrative regulations to establish standards in a state plan, prohibit development or proposing of a state plan to the United States Environmental Protection Agency unless the plan is consistent with Sections 1 to 7 of this Act and is prepared in consultation with the Kentucky PSC, and declare that any plan or performance standard has no legal effect if the United States Environmental Protection Agency does not issue federal rules or guidelines for regulating carbon dioxide emissions from existing electric generating units or if the rules are withdrawn or invalidated by a court of competent jurisdiction.

HB 396

AN ACT relating to economic development.

Amends KRS 154.25-010 to expand eligibility for jobs retention projects under the Kentucky Jobs Retention Act program to include certain household appliance and appliance parts or supplies manufacturers.

HB 398

AN ACT relating to reclassification of cities.

Reclassifies the City of Kuttawa, in Lyon County, with a population of 660, from a city of the fifth class to a city of the fourth class, which requires a population of 3,000 to 7,999; reclassifies the City of Booneville, in Owsley County, with a population of 80, from a city of the sixth class to a city of the fourth class which requires a population of 3,000 to 7,999; reclassifies the City of Clarkson, in Grayson County, with a population of 884, from a city of the sixth class to a city of the fifth class which requires a population of 1,000 to 2,999; reclassifies the City of Russell Springs, in Russell County, with a population of 2,452, from a city of the fifth class to a city of the fourth class, which requires a population of 3,000 to 7,999; reclassifies the City of Columbus, in Hickman County, with a population of 165, from a city of the fifth class to a city of the sixth class, which requires a population of less than 1,000; reclassifies the City of Crestwood, in Oldham County, with a population of 4,617, from a city of the fifth class to a city of the fourth class, which requires a population of 3,000 to 7,999; reclassifies the City of Louisa, in Lawrence County, with a population of 2,467, from a city of the fifth class to a city of the fourth class, which requires a population of 3,000 to 7,999; reclassifies the City of Wayland, in Floyd County, with a population of 421, from a city of the sixth class to a city of the fourth class, which requires

a population of 3,000 to 7,999; reclassifies the City of Williamstown, in Grant County, with a population of 3,897, from a city of the fifth class to a city of the fourth class, which requires a population of 3,000 to 7,999.

HB 401

AN ACT relating to transient room taxes imposed by a consolidated local government.

Amends KRS 91A.390 to allow a consolidated local government to impose a transient room tax for purpose of financing the renovation or expansion of a government-owned convention center located in a central business district; delayed effective date of August 1, 2014.

HB 405

AN ACT relating to emergency services.

Creates a new section of KRS Chapter 70 that allows a city, county, consolidated local government, urban-county government, charter county government, unified local government, or state law enforcement agency, including sheriffs' offices, to require newly employed law enforcement telecommunicators to sign a contract and, if such a law enforcement telecommunicator accepts employment with another law enforcement agency, to require either the new employer or the telecommunicator to provide reimbursement of employment and training costs on a pro rata basis; amends KRS 39A.020 to define "chief executive officer" and "county"; amends various sections of KRS Chapter 39B to explicitly allow two or more counties to establish a joint local emergency management agency; amends KRS 39B.060 to establish a protocol among counties acting jointly for emergency management for dealing with incidents of an emergency nature using the integrated emergency management system and the unified incident command system.

HB 407

AN ACT relating to financing of public-private partnerships and declaring an emergency.

Amends KRS 45A.030 and 45A.075 and creates a new section of KRS Chapter 45A to define "public-private partnership" and "private partner," allow use of public-private partnership as alternative method to finance a project, and provide for evaluation, oversight, and ratification by the General Assembly; amends KRS 65.025 and creates a new section of KRS Chapter 65 to allow use of public-private partnership by local governments, provide for evaluation and oversight, provide for model system for use of public-private partnership to be developed, require use of the model and approval by the Finance and Administration Cabinet before a local government can utilize a public-private partnership, require Finance and Administration Cabinet to promulgate administrative regulations by December 31, 2014, and specify groups the cabinet must consult when developing regulations, require requests for proposals for public-private partnerships by both state agencies and local governments to include the proposed use of Kentucky-based subcontractors, architects, engineers, and employees, require state agencies to consult with local governments about the effects of a proposed project on the local community, require the Secretaries of Finance and Transportation to develop recommendations on the implementation of a process for the state and local governments to accept unsolicited proposals, require reporting of findings to the relevant legislative committee by December 31, 2014, require solicitation of input from specific organizations and groups in developing the recommendations, and specify that if the Finance Cabinet does not promulgate regulations for local governments as required by the bill, a local government is authorized to proceed with a partnership under the

provisions of the bill; creates a new section of KRS Chapter 175B and amends KRS 175B.005, 175B.010, 175B.020, 175B.025, 175B.030, 175B.035, 175B.040 and 175B.095 to define “public-private partnership” and “private partner,” adjust the definition of transportation project to align with current federal usage, allow use of public-private partnership by an authority to provide an alternative structure for developing and financing a major transportation project, require ratification by the General Assembly for use of public-private partnership within a bi-state authority that includes the state of Ohio, and prohibit use of tolls on interstate project that connects Kentucky to Ohio; EMERGENCY; VETOED.

HB 414

AN ACT relating to life insurance.

Creates a new section of Subtitle 15 of KRS Chapter 304 to define terms and to authorize the sale of a life insurance policy with a face value in excess of \$10,000 in exchange for a life settlement contract to provide for long-term-care services, require that proceeds of the life settlement contract are to be held in an irrevocable state or federally insured account for the benefit of the recipient of the long-term-care services, require that the recipient be the only person authorized to select a provider and any attempt to require the use of a provider is prohibited and constitutes an unfair or deceptive act in violation of KRS 304.12-010, require the contract to include a provision that reserves the lesser of five percent of the face value of the policy not to exceed \$7,500, or \$5,000, whichever is greater, for final expenses, require that any reserve be payable to the owner’s estate for final expenses and requires the balance of the proceeds to be paid to the owner’s estate or a named beneficiary of the irrevocable account, require the life settlement provider to maintain either a surety bond in the amount of \$500,000 in favor of this state and authorizes recovery by the commissioner of the Department of Insurance on behalf of any person who sustained damages due to erroneous acts, failure to act, fraud, or conviction of unfair practices or to obtain a policy of errors and omissions insurance in the amount of \$500,000 per occurrence and in the aggregate for legal liability from erroneous acts or failure to act, require any life settlement contract forms required pursuant to this section and advertising and marketing materials of a life settlement provider to be filed with the Department of Insurance, limit claims against the life settlement provider to the face amount of the policy, less proceeds paid, the total amount of premiums paid since entering into the contract, and other reasonable costs or expenses payable from the irrevocable account, provide that nothing in this section is the exclusive method for exclusion of a life insurance policy as a resource or asset for Medicaid eligibility purposes, and authorize the commissioner of the Department of Insurance to promulgate administrative regulations to implement this section; creates a new section of KRS Chapter 205 to provide that life settlement contract proceeds are not to be considered as a resource or asset in determining a recipient’s eligibility for Medicaid, but are only to be used for long-term-care services to the extent allowed by federal and state law; prohibits the use of state or federal funds for the recipient’s care until the proceeds of the life settlement are utilized, less the amount retained for final expenses, require the cabinet to ensure that applied income payments from Medicaid begin on the day following exhaustion of the life settlement proceeds if the required notice is provided, authorize the cabinet to promulgate administrative regulations to define a service or support deemed a long-term-care service and requires the cabinet to prescribe the notice requirement to be utilized by the recipient to obtain Medicaid, and require cabinet to provide notice to all Medicaid applicants of the options available in Section 1 of this Act for a life insurance policy and to provide information about Section 1 of this Act to local and state

private and public agencies and organizations in the state in cooperation with one or more nonprofit organizations with no cost to the state for distribution of materials and information; amends KRS 304.15-420 to require an insurer to perform a comparison of its insureds' in-force life insurance policies, contracts, and retained asset accounts against a Death Master File on a semiannual, rather than a quarterly basis, and allows an insurer to perform one comparison against the entire Death Master File and to utilize Death Master File updates thereafter, authorize an insurer, for escheat purposes, to submit its next unclaimed property report to the State Treasurer unclaimed life insurance benefits or unclaimed retained asset accounts, plus accrued interest, rather than submitting a report immediately upon the expiration of the statutory time period for escheat, provide that failure to meet any requirement of this section with such frequency as to constitute a general business practice, rather than failure to meet any requirement of this section, shall constitute a trade practice or fraud in violation of Subtitle 12 of KRS Chapter 304 and provides that nothing in this section shall create a private cause of action, provide that if the insurer is making a good-faith effort to comply with this section, the insurer shall not be subject to fees, fines, penalties, or interest for failure to perform a comparison of its in-force life insurance policies, contracts, and retained asset accounts prior to the effective date of this Act, and provide that the commissioner of the Department of Insurance shall have exclusive authority and jurisdiction based on a demonstration of hardship to the insurer to allow an insurer to phase in compliance with this section for a time period not to exceed one year according to a plan and timeline approved by the commissioner.

HB 415

AN ACT relating to alcohol regulatory fees.

Amends KRS 243.075 to stipulate that in a county in which both the city and county levy a regulatory license fee, only the county fee shall be applicable outside the jurisdiction of the city, require the regulatory license to fee be based only on the gross receipts of the sale of alcoholic beverages, and require new fees enacted by a city or county to be enacted within two years of the date of the local option election authorizing alcohol sales, provide that fees enacted shall be at a rate that will not generate revenue in excess of expenses actually incurred, and requires reasonable evidence relating to additional expenses imposed, require the Department of Alcoholic Beverage Control to promulgate administrative regulations establishing a process whereby cities and counties may estimate expenses during the first year after the discontinuance of prohibition but the estimation shall apply only after regulations are promulgated, require revenue received from the regulatory license fee to be spent only in accordance with established requirements, require fees to be reduced by an amount equal to alcohol-related taxes and fees received, require violators to pay attorney's fees and costs incurred by aggrieved persons and to forfeit the right to impose regulatory license fees, provide for a refund to licensee if a city or county violates the provisions after the effective date of the bill; stipulates that the payment of attorneys' fees is contingent on the court finding the violation to be intentional or willful, require, upon a third violation, the county or city to forfeit the right to impose the regulatory license fee, and require any party bringing suit against a city or county for an alleged violation to pay reasonable attorney fees of the city or county upon a finding that the city or county did not violate the section.

HB 430

AN ACT relating to underground facility protection.

Amends KRS 367.4903 to clarify the definitions used in KRS 367.4903 to 367.4917 (the Underground Facilities Damage Prevention Act of 1994) to change the name of the “one-call center” to the “Kentucky Contact Center,” and to change the term “design locate request” to “design information request”; amends KRS 367.4909 to reflect the name change of the Kentucky Contact Center and the term change of design information request, and clarify and provide additional requirements of operators for design information requests; amends KRS 367.4911 to require an excavator or a person responsible for excavation to notify the underground facility operator of the work schedule and to require the operator to comply with the Act once the excavator has marked the boundaries and contacted the utility notification center or centers; amends KRS 367.4913 to include additional requirements for the protection notification center or centers in dealing with design information requests and to reflect the name change of Kentucky Contact Center; amends KRS 367.4917 to include fire prevention agencies in the recovery of fines for violation of the Act.

HB 432

AN ACT relating to insurance premiums.

Amends 91A.080 to exempt from tax any premiums paid to an insurance company or surplus lines broker by nonprofit self-insurance groups or self-insurance entities whose membership consists of school districts.

HB 445

AN ACT relating to fiscal matters, making an appropriation therefor, and declaring an emergency.

Amends KRS 224.50-868 to make the sunset date for the waste tire fee June 30, 2016; amends KRS 141.010 and 141.0101 to update the reference date for the Internal Revenue Code to December 31, 2013, and excludes from the update any change to the phase-out income level for itemized deductions; creates a new section of KRS Chapter 393 and amends KRS 393.068 to establish a process to allow abandoned savings bonds to escheat to the Commonwealth; amends KRS 138.510, 138.511, 138.530, and 138.550 and creates new sections of KRS Chapter 138 to assess a 1.5 percent tax on pari-mutuel wagers on historical horse racing and retroactively approve the pari-mutuel tax on historical horse racing, update definitions, specify payment methods for tracks, provide penalty provisions, and create a tax on advance deposit wagering by KY residents; provides noncodified language to specify the intent in imposing the tax; amends KRS 148.544 and 141.383 to remove the sunset date of the film industry tax credit; creates new sections of KRS 171.311 to 171.345 and KRS Chapter 141 to allow an income tax refund check-off for local history organizations; creates a new section of KRS Chapter 141 to allow an income tax credit for property tax paid on distilled spirits; amends KRS 141.0205 to recognize new credits created; amends KRS 243.884 to adjust the tax rates on beer and wine; amends KRS 171.396 and creates a new section of KRS 171.396 to 171.399 to make a change to the certified historic property tax credit; creates new sections of KRS Chapter 154, Subchapter 20, and amends KRS 154.20-255 to create the angel investor program; creates a new section of KRS Chapter 141 to allow the angel investor tax credit; amends KRS 141.432, 141.433, and 141.434 to expand the New Markets tax credit; creates a new section of KRS 157.611 to 157.623 to direct that unexpended appropriations to the School Facilities Construction Commission are to

be transferred to the Emergency and Targeted Investment Fund; amends KRS 154A.020 to permit lottery advertising that includes disclosure of programs receiving the benefit of lottery proceeds; provides noncodified language that extends the existing fee assessment process used by the Kentucky Infrastructure Authority, authorizes the State Auditor to bill agencies for certain audits, and permits the Finance Cabinet to sell certain abandoned property; retroactive EMERGENCY.

HB 448

AN ACT relating to destruction of crops on farms by wildlife.

Amends KRS 150.170 to allow landowners, their spouses, dependent children, or their designees to kill or trap on their lands any wildlife causing damage to the lands or personal property without a tag, require disposal of the carcass on site, require inedible parts from wildlife not to be utilized for any purpose, require inedible parts from wildlife to be destroyed or left afield, allow the Department of Fish and Wildlife Resources to promulgate regulations establishing procedures for the designee appointment process, and require that only resident farmland owners, spouses, and dependent children can take wildlife or fish on their lands without a sport hunting or fishing license.

HB 475

AN ACT relating to local option elections.

Amends KRS 241.010 to define a state park; adds state park local option elections to the list of moist elections; creates a new section of KRS Chapter 242 to allow a local option election for the sale of alcoholic beverages by the drink at state parks, hold the election in the precinct where the state park's qualifying lodge or golf course is located, establish the petition question and the form of the proposition for the election, and make the entire state park moist if the majority of voters in the precinct favor establishing moist territory; amends KRS 243.082 to allow an authorized state park to acquire an NQ1 retail drink license, and set the limitations and privileges of a state park NQ1 license; amends KRS 243.100 to add governmental agencies to the types of corporate entities eligible to receive an alcoholic beverage license.

HB 488

AN ACT relating to sales and use tax.

Amends KRS 139.497 to exempt from sales and use tax sales of tangible personal property by a federally chartered corporation if the sales occur at the corporation's annual national convention held in the Commonwealth; applies to sales between October 1, 2014, and December 31, 2021.

HB 493

AN ACT relating to tourism development tax incentives.

Amends KRS 148.851 to define "enhanced incentive county"; amends KRS 148.853 to require that the total eligible costs shall exceed \$500,000 for a tourism attraction project located in an enhanced incentive county, and allow a tourism attraction project located in an enhanced incentive county to receive a sales tax incentive equal to the lesser of the amount of the sales tax liability of the approved company and its lessees or a percentage of the approved costs not to exceed 30 percent; creates a new section of KRS 148.851 to 148.860 to prohibit new applications

for enhanced incentive county incentives from being accepted or considered for incentives before August 1, 2014, or after May 1, 2018.

HB 527

AN ACT relating to community mental health centers.

Amends KRS 210.410 to permit community mental health centers to provide primary care services; creates a new section of KRS Chapter 205 to require that primary care services provided by physicians, advanced practice registered nurses, and physician assistants in community mental health centers are Medicaid reimbursable at the same rates set for primary care providers if they meet federal requirements, require the cabinet to promulgate administrative regulations, and define terms.

HB 542

AN ACT relating to tax increment financing.

Amends KRS 154.30-060 to expand the parameters for certain projects in consolidated local governments and urban-counties to qualify as mixed-use projects and to thereby possibly qualify for the state participation program for tax increment financing of mixed-use redevelopments.

HJR 7

Designates honorary names for various roads and bridges and directs the placement of honorary roadside signs.

HJR 19

Honors Kentucky Retired Teachers by establish the third week of October to be Kentucky Retired Teachers' Week.

HJR 62

Adopts the last four years of the six-year road plan and attaches the last four years of the six-year road plan.

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