

General Assembly Action 2015 Regular Session

Informational Bulletin No. 247

Legislative Research Commission
Frankfort, Kentucky

May 2015

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A Staff Summary of Legislative Enactments

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Foreword

The 2015 Regular Session of the General Assembly convened Tuesday, January 6, 2015, and adjourned *sine die* Wednesday, March 25, 2015, having met for 29 legislative days. During the session, 752 bills and 491 resolutions were introduced, including 208 Senate bills and 544 House bills.

Of the bills introduced, 36 Senate bills and 81 House bills passed both chambers and were delivered to the Governor. The Governor exercised his line-item veto authority in one House bill. All 36 Senate bills and 81 House bills became law.

The Governor also received 12 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 2015

Bill Numbers To Acts Chapters

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 10	9	SJR 20	51	HB 181	71	HB 408	105
SB 28	5	SJR 78	52	HB 201	48	HB 413	125
SB 33	59	SCR 97	44	HB 202	30	HB 417	77
SB 39	38	SCR 108	11	HB 209	32	HB 427	122
SB 44	39	SCR 109	53	HB 225	115	HB 428	126
SB 47	40			HB 232	15	HB 429	49
SB 51	61	HB 8	102	HB 234	16	HB 440	34
SB 54	82	HB 19	100	HB 239	110	HB 459	78
SB 55	35	HB 20	22	HB 241	12	HB 465	86
SB 61	10	HB 24	23	HB 248	113	HB 510	127
SB 62	25	HB 47	27	HB 258	123	HB 512	55
SB 67	60	HB 59	114	HB 260	94	HB 525	106
SB 75	6	HB 62	28	HB 268	112	HB 543	85
SB 77	3	HB 69	56	HB 274	93		
SB 78	8	HB 76	24	HB 275	72	HCR 87	120
SB 82	108	HB 91	45	HB 276	73	HCR 89	50
SB 89	20	HB 92	29	HB 298	1	HJR 100	84
SB 92	41	HB 100	54	HB 299	67	HJR 134	83
SB 102	64	HB 104	121	HB 312	13	HCR 168	79
SB 107	80	HB 115	68	HB 314	92		
SB 108	18	HB 117	57	HB 315	91		
SB 117	36	HB 134	4	HB 316	101		
SB 118	111	HB 136	99	HB 329	33		
SB 119	7	HB 144	98	HB 330	90		
SB 133	124	HB 147	69	HB 333	119		
SB 140	63	HB 148	14	HB 340	74		
SB 148	65	HB 149	97	HB 348	17		
SB 153	19	HB 150	70	HB 357	89		
SB 159	42	HB 152	2	HB 358	75		
SB 161	43	HB 153	46	HB 363	107		
SB 168	58	HB 163	103	HB 370	116		
SB 186	21	HB 164	104	HB 377	118		
SB 192	66	HB 165	47	HB 378	88		
SB 193	81	HB 168	26	HB 380	76		
SB 201	62	HB 172	31	HB 395	109		
SB 204	37	HB 178	96	HB 402	117		
		HB 179	95	HB 407	87		

Senate Bills

SB 10

AN ACT relating to strokes.

Amends KRS 216B.0425 to define the terms “acute stroke ready hospital certification” and “comprehensive stroke center certification,” require the Cabinet for Health and Family Services to maintain a list of acute stroke ready hospitals, comprehensive stroke centers, and primary stroke centers, post the list on its Web site, and provide the list to the Kentucky Board of Emergency Medical Services, and require the board to provide the list to local emergency medical services providers; amends KRS 311A.180 to require emergency medical services directors to establish pre-hospital care protocols for the assessment, treatment, and transport of stroke patients; amends other statutes to correct references to the Joint Commission.

SB 28

AN ACT relating to the placement of illegal gambling devices in business establishments and declaring an emergency.

Amends KRS 528.010 to include in the definition of “gambling device” an electronic device used to facilitate Internet gambling and to define “simulated gambling program”; EMERGENCY.

SB 33

AN ACT relating to charitable gaming.

Amends KRS 238.505 to include electronic representations in the definition of “charity game ticket,” define “electronic video gaming device,” add exceptions to the definition of “year,” and define “electronic pulltab device” stipulating that it is only to be used for charitable purposes, shall not include mobile phones, and shall operate only on a closed network; amends KRS 238.535 to extend the exemption for licensure date to January 31; amends KRS 238.540 to require gaming supplies to be maintained in a location separate from another organizer’s supplies; amends KRS 238.545 to require electronic representations of charity game tickets to conform to standards promulgated by the department in administrative regulation and specify that electronic pulltab devices shall be used only for charitable gaming.

SB 39

AN ACT relating to school safety.

Amends KRS 158.162 to require public schools to consult with local and state safety officials and use National Weather Service and Federal Emergency Management Agency guiding principles when identifying the best available severe weather safe zones.

SB 44

AN ACT relating to synchronization of prescription refills.

Creates a new section of Subtitle 17A of KRS Chapter 304 to permit patients who suffer from chronic illnesses, in consultation with their medical providers, to select one day each month to receive all of their medications at their pharmacy; creates a new section of KRS Chapter 205 to require the Department for Medicaid Services or a managed care organization to permit medication synchronization when part of a plan between provider, patient, and pharmacist.

SB 47

AN ACT relating to persons with disabilities.

Amends KRS 344.200 to require the Human Rights Commission to make reasonable accommodations to assist persons with disabilities in filing a complaint.

SB 51

AN ACT relating to mental health.

Amends KRS 202A.400 to define “patient” and provide that the duty to take precautions against a patient’s violent behavior includes persons who are currently under the care of mental health professionals; amends KRS 202A.028 to clarify that providers using telehealth services must be authorized to perform examinations under this chapter.

SB 54

AN ACT relating to drug-dependent newborns.

Creates a new section of KRS Chapter 218A to mandate priority access for pregnant women to substance abuse treatment or recovery service programs, and prevent discrimination against pregnant women by substance abuse treatment or recovery service providers; amends KRS 625.050 to prevent the filing of a petition to terminate the parental rights of a pregnant woman who used a controlled substance during pregnancy if she enrolls in and maintains compliance with both a substance abuse treatment or recovery program and prenatal care throughout the remaining term of that pregnancy, and allows for sealing of court or cabinet records in regard to actions to terminate the parental rights of a mother suffering from a substance abuse disorder during pregnancy upon successful completion of a substance abuse treatment or recovery program.

SB 55

AN ACT relating to the donation of game meat.

Creates a new section of KRS Chapter 217 to define “not-for-profit organization,” “take,” and “wildlife,” prohibit state and local government entities from restricting the donation of game meat to or from not-for-profit organizations for the purpose of free meal distribution, and require that the game meat be from wildlife that was taken in the Commonwealth, properly field dressed and processed, and apparently disease-free and unspoiled.

SB 61

AN ACT relating to removing barriers to colorectal cancer.

Amends KRS 304.17A-257 to require that health benefit plans cover complete colorectal cancer screening; effective January 1, 2016.

SB 62

AN ACT relating to public service.

Amends KRS 61.637 to provide that an elected official who is reelected to a new term of office in the same position and who then retires following reelection but prior to taking the new term of office shall be deemed to have a prearranged agreement and will have his or her initial retirement voided; amends KRS 18A.110 to prohibit the Personnel Cabinet from requiring individuals hired or elected to office before January 1, 2015, to be paid through direct deposit or requiring the individual to use a Web-based program to access his or her salary statement.

SB 67

AN ACT relating to concealed carry licenses.

Amends KRS 237.110 to recognize a firearms safety or training course offered by a national organization that includes written tests, in-person instruction, and a live-fire component as a qualifying class for an applicant for a license to carry a concealed deadly weapon.

SB 75

AN ACT related to newborn screening for Krabbe disease.

Amends KRS 214.155 to include Krabbe disease testing as part of the newborn screening program; cites Act as the Anna Claire Taylor Law.

SB 77

AN ACT relating to a medical order for scope of treatment.

Amends KRS 311.621 to define “medical order for scope of treatment”; creates a new section of KRS 311.621 to 311.643 to permit the completion of a medical order for scope of treatment directing medical interventions, require the Kentucky Board of Medical Licensure to promulgate administrative regulations to develop a standardized medical order for scope of treatment form, and list the required contents of the standardized medical order for scope of treatment; amends KRS 311.623, 311.633, and 311.637 to add the medical order for scope of treatment.

SB 78

AN ACT relating to the towing and storage of vehicles.

Amends KRS 376.268 to define “contents” and “reasonable charges”; amends KRS 376.275, relating to towing and storage liens on motor vehicles, to allow the sale of a vehicle’s contents to satisfy a lien for towing and storage charges, provide that a towing or storage company shall not refuse the right of physical inspection of the towed vehicle by the owner or an insurance company representative, allow for a vehicle to be released to an owner’s authorized representative, allow for the return of specific personal contents as listed in the statute upon request by owner, and provide that the storage or towing company is not responsible for contents to which it does not have access.

SB 82

AN ACT relating to income tax checkoff programs, and making an appropriation therefor.

Creates a new section of KRS Chapter 141 allowing a contribution to be made to the pediatric cancer research trust fund through an income tax refund designation effective for taxable years beginning on or after January 1, 2016, requiring the designation to be printed on the face of the individual income tax form, requiring a description of the trust fund in the individual income tax return instructions, and requiring the Revenue Cabinet to transfer the funds designated to the pediatric cancer research trust fund; creates new sections of KRS Chapter 211 to establish the trust fund, the trust fund board, and duties of the board; creates a new section of KRS Chapter 141 to allow individuals with an income tax refund to designate a portion of the refund to the rape crisis center trust fund; creates a new section of KRS Chapter 211 to establish the rape crisis center trust fund and require that money in the fund be used to support the services

listed in KRS 211.600(3) and not be expended for purposes of abortion services or abortion education.

SB 89

AN ACT relating to firearms sales to current and retired employees.

Amends KRS 45A.600 to provide that state employees with government-issued firearms that are being replaced may purchase those firearms from the agency; amends KRS 45A.047 to conform; amends KRS 65.041 to provide that local government employees whose service weapons are being replaced may purchase those firearms from the local government.

SB 92

AN ACT relating to timber harvesting.

Amends KRS 149.330 to change the definition of “person” to include any natural person or director, officer, or agent of a business organization; amends KRS 149.344 to require loggers or operators who have received bad actor designations to provide prior notice to the division before engaging in any timber harvesting operations until they have paid all civil penalties and performed all required site remediation, require the cabinet to promulgate administrative regulations setting forth the form and manner of the prior notice, beginning on January 1, 2016, require the cabinet to issue an emergency order requiring any third-time bad actor to cease all timber harvesting operations until all required site remediation has been performed and all civil penalties have been paid or a repayment plan has been established and maintained, and specify that all bad actor designations, including those issued prior to the effective date of the Act, be included in determining the applicability of KRS 149.344 to a logger or operator; amends KRS 149.346 to require the cabinet to serve notice to a logger or operator of evidence of a violation of the reporting requirements and provide for an administrative hearing to answer the charges; amends KRS 149.348 to establish penalties for violation of the reporting requirements and provide that directors, officers, and agents of operators or loggers doing business as certain business organizations shall be personally liable for the civil penalties incurred by the operators or loggers; makes technical corrections.

SB 102

AN ACT relating to criminal homicide.

Amends KRS 507.010 to define “abuse,” “mentally helpless,” and “physically helpless”; amends KRS 507.030 to include the death of a person 12 years of age or younger or a person who is physically or mentally helpless caused by intentional abuse as a possible element of manslaughter in the first degree; cites Act as Conner’s Law.

SB 107

AN ACT relating to health providers.

Amends KRS 205.8477 to establish that Medicaid providers shall provide operating disclosures to the Cabinet for Health and Family Services and to other entities in established circumstances; amends KRS 212.786 to reduce the number of members on the independent district boards of health, remove proportional representation of certain professions, and amend the population requirements for appointments; amends KRS 212.784 to prohibit independent district boards of health from adopting rules and regulations in conflict with state laws and regulations.

SB 108

AN ACT relating to the Uniform Interstate Family Support Act.

Amends various sections of KRS Chapter 407 and creates other sections to adopt, with some variation, the 2008 amendments to the language of the Uniform Interstate Family Support Act, published by the National Conference of Commissioners on Uniform State Laws to reflect the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, include language to update Articles 1 to 6 regarding jurisdiction and the establishment, enforcement, and modification of support orders, and expand Article 7 to establish procedures under the Convention; amends Articles 8 and 9 of KRS Chapter 407 and KRS 403.135 to conform.

SB 117

AN ACT relating to county attorney operated traffic safety programs.

Amends KRS 186.574 to add fees in lieu of court costs for county-attorney-operated traffic safety school programs and provide for the distribution of funds collected.

SB 118

AN ACT relating to government contracts.

Amends KRS 443.053 to authorize an entity, corporation, and organization, currently contracted with a consolidated local government or urban-county government to provide health care services, to seek or be awarded a contract with the Department of Corrections to provide various health-care-related services governed under this section, so long as there is no material change to an existing contract.

SB 119

AN ACT relating to schools and declaring an emergency.

Amends KRS 156.095 to require the Department of Education to develop and maintain a list of available child abuse and neglect prevention, recognition, and reporting trainings for school administrators, certified personnel, office staff, instructional assistants, and coaches and extracurricular sponsors who are employed by the school district and require local school boards to adopt the developed training; permits school districts that want to complete 1,062 instructional hours by June 5, 2015, but are unable to under the current school calendar, to request assistance from the commissioner of education to determine a plan for completing the required hours; requires, after determining a district cannot complete 1,062 hours by June 5, 2015, after maximizing instructional time, the commissioner to waive the remaining required hours; permits school districts to schedule graduation ceremonies before the final instructional day; allows districts to be open on the day of a primary election if no school in the district is used as a polling place; prohibits school districts from scheduling instructional time on Saturdays; requires the Department of Education to report to the Interim Joint Committee on Education how school districts completed the 1,062 instructional hours; EMERGENCY.

SB 133

AN ACT relating to driving under the influence.

Amends KRS 189A.005 to include definitions relating to “ignition interlock device providers” and “certificates of installation”; amends KRS 189A.340 to provide that at the end of a license revocation period for certain enumerated violations of KRS 189A.010, the offender is

required to have an ignition interlock license; amends KRS 189A.410 to allow that subject to certain requirements, a person who has violated KRS 189A.010(1)(c) or (d) for drug-related offenses may be granted hardship license privileges, and to provide that for a first offense within a five-year period under KRS 189A.010(a), (b), or (e), a person may be eligible for a hardship driver's license if at the time of the offense none of the aggravating circumstances enumerated under subsection (11) of KRS 189A.010 were present while the person was operating or in physical control of a motor vehicle; amends KRS 189A.420 to allow that a person is eligible for an ignition interlock license during a period of license suspension under KRS Chapter 189A, upon the conclusion of a license revocation period, or if he or she was convicted pursuant to KRS 189.010(a), (b), (e), or (f) and has enrolled in and is actively participating, or has completed, alcohol or substance treatment, expand the requirement for authorization to apply for and subsequent issuance of an ignition interlock license, provide that upon meeting certain requirements a defendant is authorized to drive an employer-owned non-ignition interlock equipped vehicle, after the expiration of 30 days from issuance of an ignition interlock license for a first offense and after the expiration of 12 months for a second or subsequent offense, and authorize the court to allow a defendant to pay less than full cost for the purchase, lease, and installation of an ignition interlock device and the associated servicing and monitoring fees if the court finds that the person is indigent based on a sliding fee scale established by the Kentucky Supreme Court by rule; creates a new section of KRS Chapter 189A to require that the Transportation Cabinet promulgate rules and regulations to carry out the requirement of this bill; requires that, upon the effective date of this bill, any ignition interlock device provider who contracts with the Transportation Cabinet must agree to certain enumerated requirements; repeals various statutes to conform.

SB 140

AN ACT relating to foster care review boards.

Amends KRS 620.270 to require that interested parties be notified of a review to be conducted by a citizen foster care review board review and of the right to attend and participate.

SB 148

AN ACT relating to recording requirements for mortgages and deeds with retained liens.

Amends KRS 382.290 to prevent county clerks or their deputies from recording mortgages or deeds with liens retained therein unless either document explicitly refers to the next immediate source of title for which the mortgagor or grantor derived title to the property or the interest encumbered therein; amends KRS 382.297 to prohibit certain acts in amending a mortgage.

SB 153

AN ACT relating to motor carriers.

Omnibus revision of the motor carrier statutes, KRS Chapter 281; repeals and reenacts KRS 281.010 to consolidate various definition sections and set forth definitions for the chapter; amends KRS 281.590, regarding legislative intent, to eliminate references to competitive practices; amends KRS 281.600 to clarify references to federal laws; amends KRS 281.602 to give the Department of Vehicle Regulation the authority to file liens against motor carriers for fees administered under the chapter; amends KRS 281.605 and 281.610 to eliminate references to certificates of convenience and necessity and to hearings on certificates of convenience and

necessity; amends KRS 281.6185 to clarify provisions and eliminate outdated grandfather language; repeals and reenacts KRS 281.624 to enumerate the regulatory powers of the cabinet in relation to household goods carriers; amends KRS 281.626 to eliminate hearings for the issuance of U-Drive-It certificates; repeals and reenacts KRS 281.630 to require motor carriers to obtain a certificate from the department prior to operation, establish that a certificate is to be granted to any applicant who conforms to the requirements of KRS Chapter 281, identify different certificates issued by the department, set forth application requirements and fees, require criminal background checks for certain officers, employees, and independent contractors and establish disqualifying offenses, establish renewal procedures and fees, establish requirements for rate and time schedules, establish procedures for transfer of certificates, establish authority for hearing and penalties, and grant the department the authority to promulgate administrative regulations to carry out the section; amends KRS 281.6301 to establish criminal background check requirements for passenger vehicle and household goods certificate holders; repeals and reenacts KRS 281.631 to establish requirements for motor carrier vehicle licenses, establish initial application and renewal procedures and fees, allow the KYTC to promulgate administrative regulations to provide for bulk license fees for certificate holders who employ or contract with more than 50 vehicles, allow cities and counties to impose annual license fees not to exceed \$30 per vehicle on taxicabs, limousines, and disabled persons vehicles, exempt nonresident motor carriers from fees under KRS Chapter 281 if reciprocal provisions are granted Kentucky carriers by the nonresident carrier's home state, and grant the department the authority to promulgate administrative regulations to carry out the section; amends KRS 281.635 to eliminate finding of convenience and necessity for bus franchises, clarify references to concurrent authority of cities and the state over buses, taxicabs, limousines, disabled persons vehicles, and their drivers, and allow a taxi, limo, DPV or TNC driver to possess a valid license from another state; amends KRS 281.640 to establish procedures for hearings involving certificate holders; amends KRS 281.655 to increase insurance requirements for motor carriers, allow KYTC to require immediate surrender of certificates if the certificate holder's bond or insurance policy is canceled, require the KYTC to promulgate regulations to set standards for pre-trip acceptance liability policies and prearranged ride liability insurance policies for TNC vehicles, set minimum amount of insurance for pre-trip policies at \$50,000 for single death or injury, \$100,000 multiple death or injury from one incident, and \$25,000 for property damage, set minimum amount of insurance for prearranged ride policies to be the same as for motor vehicles for the transportation of persons, and allow pre-trip and prearranged ride insurance policies to be issued by an eligible surplus lines insurer; amends KRS 281.656 to clarify provisions for the suspension of a certificate upon cancellation of insurance or bond; amends KRS 281.720 to require motor carrier vehicles to display a motor carrier license plate, and clarify that vehicles operated under a TNC, household goods, property, or U-drive-it certificate are exempted from having a motor carrier license plate; amends KRS 281.728 to include limousines and disabled persons vehicles among the types of certificate holders that cannot advertise for a service not authorized by its certificate; amends KRS 281.730 to clarify rules on hours of operation; amends KRS 281.830 to prohibit cities or counties from imposing fees or taxes on any private or for-hire commercial motor vehicle for the loading or unloading of property, including household goods; amends 281.883 to require the cabinet to establish by regulation procedures for the administrative citation, assessment and appeal of penalties under KRS 281.990; amends KRS 281.990 to reduce the minimum fine for operating a motor carrier without a valid certificate or in violation of a certificate from \$2,000 to \$500; amends KRS 186.050 to set registration fees

for motor carrier vehicles carrying up to 15 passengers at \$11.50 and the fee for motor carrier vehicles carrying more than 15 passengers at \$100; creates a new section of KRS Chapter 189 to authorize the Transportation Cabinet to join compacts with other states regarding overdimensional permits; amends KRS 281.687, 281.735, 281.745, 281.752, 281.760, 281.775, 281.802, 281.820, 281.835, 281.838, 281.873, 281.905, 96A.010, 96A.020, 138.446, 138.463, 186.164, 186.240, 186.991, and 381.770 to conform; repeals KRS 186.052, 186.281, 186.286, 281.011, 281.012, 281.013, 281.014, 281.015, 281.604, 281.607, 281.612, 281.615, 281.618, 281.619, 281.620, 281.625, 281.6251, 281.632, 281.633, 281.637, 281.641, 281.645, 281.650, 281.660, 281.6602, 281.670, 281.675, 281.680, 281.685, 281.690, 281.695, 281.700, 281.710, 281.780, 281.801, 281.804, 281.806, 281.850, 281.860, 281.907, 281.910, 281.912, and 281.914; mandates that any existing certificate or permit in effect on the effective date of the Act shall remain valid until its expiration and that prior to expiration, the certificate holder must make initial application for a certificate under the provisions of the Act.

SB 159

AN ACT relating to the provision of information relative to spina bifida.

Amends KRS 211.192 to require information to be provided upon a diagnosis of spina bifida.

SB 161

AN ACT relating to the display of the United States flag.

Creates a new section of KRS Chapter 2 to authorize the Governor to issue an order to lower the United States flag to half-staff on all state buildings in the event of the death of Kentucky emergency response personnel in the line of duty.

SB 168

AN ACT relating to economic development.

Amends KRS 154.33-501 to replace references to the East Kentucky Corporation with references to Shaping Our Appalachian Region, Inc; amends KRS 154.33-550 to create the Kentucky Appalachian Regional Development Fund, to be administered by the Department for Local Government; creates new sections of KRS 154.33 to identify the economic development purposes for which money from the fund may be used and to provide an application process; repeals KRS 154.33-501, 154.33-515, 154.33-520, 154.33-525, 154.33-527, 154.33-533, 154.33-535, 154.33-540, 154.33-545, 154.33-555, 154.33-560, 154.33-565, 154.33-570, 154.33-575, 154.33-580, and 154.33-585 to conform.

SB 186

AN ACT relating to oil and gas production and reclamation.

Creates new sections of KRS 353.500 to 353.720 to require notice and method of notice of high-volume horizontal fracturing, require baseline water quality testing and exempt certain situations from the requirement, require information disclosures to the cabinet for a vendor or service provider conducting high-volume horizontal fracturing treatments, create an exemption for disclosure of trade secrets, require vendors to provide information to a chemical disclosure registry unless the information is protected by trade secret status, establish a method for claiming trade secret status, require release of information protected by trade secret status by the director

of the Division of Oil and Gas or by the vendor of the fracturing treatment to health professionals under specified conditions and with confidentiality agreement, require release of information by the director of the Division of Oil and Gas to deal with emergency spills or discharges and require nondisclosure of information further, provide that information disclosed not be deemed publicly available or a waiver of trade secret claim, require notification to parties by the cabinet if the cabinet receives a request for chemicals under the Open Records Act and provide a procedure for notification of vendors and operators who assert confidential treatment status, clarify that the review of a determination of release of information under the Open Records Act not be a part of judicial review, create the Kentucky Abandoned Storage Tank Reclamation Program and define when a tank is deemed abandoned and eligible for the program, specify the purpose of the program and create the Kentucky abandoned storage tank reclamation fund, identify the expenses that can be paid for from the fund, allow the cabinet to contract for services and enter into agreements for services, create a right of entry to inspect or to conduct work on an abandoned storage tank, specify procedures for notice before entering lands, and authorize the cabinet to recover costs for removal and remediation of an abandoned storage tank from owners or responsible parties; amends KRS 353.180 to make internal reference corrections; amends KRS 353.510 to establish and revise definitions; amends KRS 353.590 to establish permit fees for vertical deep and horizontal deep wells, establish bonds for deep wells and minimum bonds, specify how bonds will be conditioned, and add blanket bonds; amends KRS 353.592 to correct internal references; amends KRS 353.5901 to require a reclamation plan rather than a reclamation proposal, clarify the contents of the reclamation plan, require review and approval of the plan prior to permit issuance, and allow for a waiver of the mediation fee for a landowner with proof of a financial inability to pay; amends KRS 353.651 to regulate the drilling units of vertical deep and horizontal deep wells and the pooling for deep wells and changes the 1/8 royalty to prevailing royalty and overriding royalty to 3 times the share of costs payable or charged for deep wells only; amends KRS 353.652 to make technical corrections; amends KRS 353.730 and 353.737 to correct internal references; cites Act as the Kentucky Oil and Gas Regulatory Modernization Act.

SB 192

AN ACT relating to controlled substances and declaring an emergency.

Amends KRS 72.026 to increase the scope of mandatory coroner and medical examiner examinations and reporting in deaths involving a Schedule I controlled substance; amends KRS 100.982 to mirror federal law in regard to addicted persons and residential care facilities; amends KRS 196.288 to direct that a portion of recaptured savings from criminal justice reforms be directed to substance abuse treatment, prevention, and court-related activities; amends KRS 205.560 to revise the protocols for Medicaid provider credentialing relative to substance abuse treatment; creates a new section of KRS Chapter 205 to require Medicaid to offer a broad array of substance abuse treatment resources; amends KRS 216B.020 to amend the certificate of need process relative to substance abuse treatment facilities; creates a new section of KRS Chapter 216B to authorize substance abuse treatment outreach in overdose situations brought to a hospital ER; amends KRS 217.186 to allow the opiate overdose rescue medication naloxone to be prescribed to persons, agencies, or school employees capable of administering the medication in emergency situations, allow first responders to access and utilize the medication, and allow pharmacists certified to do so to prescribe and dispense the medication; creates a new section of KRS Chapter 218A to authorize a pilot project relating to data analysis of substance

abuse trends; amends KRS 218A.050 to include acetylfentanyl in the list of schedule I controlled substances; creates a new section of KRS Chapter 218A to create a criminal charge protection for use in emergency drug overdose situations; creates a new section of KRS Chapter 218A to require state-funded substance abuse programs from discriminating against pregnant women; creates a new section of KRS Chapter 218A to create an offense for importing heroin into the Commonwealth; amends KRS 218A.1214 to adjust probation and parole eligibility for various heroin offenders; creates a new section of KRS Chapter 218A to create the offense of aggravated heroin trafficking; amends KRS 218A.1414 to increase the penalties for high-volume violators of that section; creates a new section of KRS Chapter 218A to facilitate faith-based substance abuse treatment; amends KRS 218A.500 to exempt from the drug paraphernalia statute needles exchanged at a local health department operating a treatment outreach program with local approval and needles and sharps declared to a peace officer prior to a search of the defendant's person; amends KRS 625.050 to provide a safe harbor protection for a pregnant addict who complies with prenatal care and substance abuse treatment instructions; includes non-codified language encouraging the Cabinet for Health and Family Services to study certain opioid treatment initiatives, establish an evidence-based treatment task force relating to the disease of addiction, develop county and regional wraparound teams for opioid addiction, collaborate with medical schools and post-graduate training programs to include 10 hours of coursework on addiction for all medical professionals, increase continuing education units for medical and health professionals relating to the disease of addiction; makes legislative recommendations to the Interim Joint Committee on Health and Welfare; directs the Department of Criminal Justice Training to conduct regionalized heroin-specific in-service training for law enforcement officers by December 31, 2016; EMERGENCY.

SB 193

AN ACT relating to bond transactions.

Amends KRS 45A.850 to allow a recommendation to be made by the Executive Director of the Office of Financial Management to the Secretary of the Finance and Administration Cabinet for the managing underwriter of specific bond transactions to be the Kentucky underwriter that received the highest score, and to clarify that the requirements, review, and recommendation of the Capital Projects and Bond Oversight Committee will apply.

SB 201

AN ACT relating to school entrance age.

Amends KRS 158.030 to ensure tuition charged to a student who is allowed to enroll in a primary school program before meeting the age requirement is the same as the tuition charged to a student who meets the age requirement, and clarify that students enrolled before meeting the age requirement are required to be included in the school's average daily attendance for purposes of SEEK funding.

SB 204

AN ACT relating to fraudulent transfers.

Establishes KRS Chapter 378A and creates new sections thereof to define terms; creates a new section of KRS Chapter 378A to establish the requirements of insolvency under the Uniform Voidable Transactions Act; creates a new section of KRS Chapter 378A to determine when value is given for transfer; creates a new section of KRS Chapter 378A to determine the

intent of a debtor on a voidable transfer; creates a new section of KRS Chapter 378A to establish the voidability of transactions as to creditor claims arising prior to the transfer; creates a new section of KRS Chapter 378A to determine when a transfer is made; creates a new section of KRS Chapter 378A to establish remedies for a creditor; creates a new section of KRS Chapter 378A to establish defenses and protections of a transferee or obligee; creates a new section of KRS Chapter 378A to establish a statute of limitations for claims under KRS Chapter 378A; creates a new section of KRS Chapter 378A to determine the location of debtor for jurisdictional purposes; creates a new section of KRS Chapter 378A to define “protected series” and “series organization” and set out the applicability of the chapter to them; creates a new section of KRS Chapter 378A to establish a short title for this chapter; repeals all sections of KRS Chapter 378; effective January 1, 2016.

SCR 97

Recognizes Kentucky’s aluminum industry.

SCR 108

Designates February 28, 2015, as Rare Disease Day in Kentucky.

SCR 109

Designates *Blood Song: The Story of the Hatfields and the McCoy*s as the official play on the Hatfield/McCoy feud in the Commonwealth of Kentucky.

SJR 20

Directs the Auditor of Public Accounts to study the number of sexual assault examination kits in the possession of Kentucky law enforcement and prosecutorial agencies that have not been sent to the Department of Kentucky State Police forensic laboratory for testing; requires a report to the Legislative Research Commission by November 1, 2015.

SJR 78

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

Senate Simple Resolutions

SR 156

Confirms the appointment of Robert D. Mattingly to the Kentucky Registry of Election Finance.

SR 157

Confirms the appointment of Udell B. Levy as an administrative law judge in the Department of Workers’ Claims.

SR 158

Confirms the appointment of Stephanie L. Kinney as an administrative law judge in the Department of Workers’ Claims.

SR 159

Confirms the reappointment of Franklin A. Stivers as a member of the Kentucky Workers' Compensation Board.

SR 160

Confirms the appointment of Thomas W. Mattingly to the Agricultural Development Board.

SR 161

Confirms the reappointment of Wayne Hunt to the Agricultural Development Board.

SR 162

Confirms the reappointment of Roy G. Collins to the Agricultural Development Board.

SR 163

Confirms the reappointment of William L. Twyman to the Kentucky Board of Education.

SR 164

Confirms the reappointment of Jonathan V. Parrent to the Kentucky Board of Education.

SR 165

Confirms the appointment of Debra L. Cook to the Kentucky Board of Education.

SR 166

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

SR 167

Confirms the reappointment of Roger Lee Marcum to the Kentucky Board of Education.

SR 168

Confirms the reappointment of Mary Gwen Wheeler to the Kentucky Board of Education.

SR 169

Confirms the reappointment of Nawanna B. Privett to the Kentucky Board of Education.

SR 170

Confirms the appointment of Barry W. Stotts to the Fish and Wildlife Resources Commission.

SR 172

Confirms the appointment of Russell J. Gailor to the Fish and Wildlife Resources Commission.

SR 173

Confirms the reappointment of C.F. “Frank” Williams to the Fish and Wildlife Resources Commission.

SR 174

Confirms the reappointment of Barry G. Noffsinger to the Kentucky Housing Corporation Board of Directors.

SR 175

Confirms the reappointment of Charles Beach III to the Kentucky Housing Corporation Board of Directors.

SR 176

Confirms the appointment of Lisa Haydon to the Kentucky Lottery Corporation Board of Directors.

SR 177

Confirms the reappointment of Tilford Richardson to the Kentucky Lottery Corporation Board of Directors.

SR 178

Confirms the appointment of W. Bryan Hubbard to the Mine Safety Review Commission.

SR 179

Confirms the appointment of Charles Buddeke to the Kentucky Public Transportation Infrastructure Authority.

SR 180

Confirms the appointment of Jaye Shannon Jones to the Parole Board.

SR 181

Confirms the appointment of Amanda Spears to the Parole Board.

SR 182

Confirms the appointment of George A. Carson to the Parole Board.

SR 183

Confirms the appointment of Neeka L. Parks-Coates to the Parole Board.

SR 194

Confirms the appointment of Samuel D. Hinkle, IV to the Kentucky Board of Education.

SR 211

Confirms the appointment of Daniel E. Logsdon, Jr. to the Public Service Commission.

House Bills

HB 8

AN ACT relating to protective orders.

Establishes KRS Chapter 456 and creates new sections thereof to allow persons to petition for interpersonal protective orders when the person has been the victim of dating violence and abuse, sexual assault, or stalking, define terms, set forth legislative intent, establish procedures for the filing, review, and hearing of the petition and issuance and service of a resulting protective order, provide court processes and evidentiary standards, county attorney protocols, a process for filing, authenticating, and enforcing protective orders from other states, and enter the orders into law enforcement systems and law enforcement responsibilities, set penalties for violation of the order and protocols for ordering GPS monitoring of a respondent; creates a new section of KRS 403.715 to 403.785; amends KRS 431.005 and 431.015 to account for arrests in dating violence situations; amends KRS 508.155 to provide a transition timeline for the existing stalking protective order system; creates a new section of KRS Chapter 510 to establish a system for issuance of a protective order in rape, sodomy, and abuse cases; amends various other sections to conform; effective January 1, 2016.

HB 19

AN ACT relating to the disposal of vehicles forfeited to law enforcement agencies.

Amends KRS 218A.420, regarding the disposition of forfeited property, to clarify that any vehicle forfeited which is contaminated with methamphetamine shall not be used, resold, or salvaged for parts, but shall instead be destroyed or salvaged for scrap metal, clarify that determination of methamphetamine contamination is made by law enforcement agencies, and clarify that the presence of prepackaged materials or other products or precursors not subject to extraction shall not qualify a vehicle as being contaminated.

HB 20

AN ACT relating to the valuation of motor vehicles for property tax purposes.

Amends KRS 132.485 to clarify the standards for appraising the value of motor vehicles that are 20 years old or older for property tax purposes, provide that no vehicle of said age shall be presumed to have been maintained or restored to either the original factory condition or any otherwise classic condition, establish the standard value of said vehicles, and provide that the Act shall apply to motor vehicles assessed on or after January 1, 2016.

HB 24

AN ACT relating to dextromethorphan abuse.

Creates new sections of KRS Chapter 218A to prohibit any person from possessing one gram or more of pure dextromethorphan or dextromethorphan that has been extracted from solid or liquid form, prohibit sale of products containing dextromethorphan as the only active ingredient to individuals younger than 18, require any person selling a product containing dextromethorphan to require that prospective buyers show a photo ID and sign a document stating the customer is older than 18 before purchase, create an affirmative defense for the retailer if a minor utilizes a fraudulent ID, prohibit individuals younger than 18 from

misrepresenting their age and from utilizing a fraudulent ID to purchase or obtain dextromethorphan, and establish penalties for violation.

HB 47

AN ACT relating to the Public Pension Oversight Board.

Amends KRS 7A.200, 7A.210, 7A.220, 7A.240, and 7A.250 to add the Legislators' Retirement Plan, the Judicial Retirement Plan, and the Kentucky Teachers' Retirement System to the Public Pension Oversight Board's review responsibilities, provide that members of the Public Pension Oversight Board appointed by the Speaker of the House of Representatives, the President of the Senate, and the Governor with expertise in pensions or investments shall serve a term of four years, remove the prohibition on members and retired members from serving in these appointed positions, and modify the annual report due date for the Public Pension Oversight Board from December 1 to December 31 of each year.

HB 59

AN ACT relating to aviation.

Creates a new section of KRS Chapter 183 to prohibit the discharging of a laser at an aircraft that is in motion, and provide exemptions for operations conducted by the Federal Aviation Administration, U.S. Department of Defense, and U.S. Department of Homeland Security; amends KRS 183.990 to establish penalties of a Class A misdemeanor for a violation or a Class D felony if the violation causes a change of course or a serious disruption that threatens the physical safety of the passengers and crew of the aircraft; amends KRS 183.132 to create additional board members for an air board operating an airport outside the limits of the county establishing the air board, designate additional members, provide that current members continue terms, mandate that additional members take office July 1, establish staggered terms for additional members, make provisions for air boards without counties meeting established geographic criteria, and require that the appointments made to an air board by the Judge/Executive of the county that did not establish the air board be approved by both the fiscal court of that county and the fiscal court of the county establishing the air board.

HB 62

AN ACT relating to public agencies.

Creates a new section of KRS 61.510 to 61.705 to provide that certain employers participating in the Kentucky Employees Retirement System (KERS) and the County Employees Retirement System (CERS) may elect to voluntarily cease participation in the system and that any agency may be required to involuntarily cease participation in KERS or CERS in the event the board of trustees has determined the employer is no longer eligible to participate in a governmental plan or has failed to comply with the provisions of KRS 61.510 to 61.705 or 78.510 to 78.852, establish requirements for voluntary and involuntary cessation of participation by the employer, including requiring any employer voluntarily ceasing participation to adopt a resolution to cease participation and submit the resolution the Kentucky Retirement Systems' board, requiring the cessation of participation to apply to all employees of the employer ceasing participation, requiring the employer to pay for an actuarial cost study to determine the cost to the employer for discontinuing participation, requiring an employer voluntarily ceasing participation to offer an alternative retirement plan to impacted employees, and requiring the employer to pay the system for the full actuarial cost of discontinuing participation either in a

lump-sum payment or in installments under the terms established by the board, provide that the full actuarial cost shall not include those employees who elect to take a refund of their account balance within 60 days of the employer's cessation date, provide that the employer's full actuarial cost shall be fixed once the employer makes the lump-sum payment or first installment payment, provide that employees hired after the employer ceases participation will not participate in KERS or CERS for the ceased employer, provide that employees participating in the systems with the employer ceasing participation will not earn benefits after the employer has ceased participation, but will be vested for those benefits accrued prior to the employer's cessation date, provide that the voluntary cessation of participation provisions shall not apply to certain KERS employers including Commonwealth's attorney offices, county attorney offices, local and district health departments governed by KRS Chapter 212, master commissioners, property valuation administration offices, executive branch agencies whose employees are subject to KRS 18A.005 to 18A.200, state-administered retirement systems, employers in the legislative or judicial branch of Kentucky state government, or state-supported universities and community college systems, unless the agency is a nonstock nonprofit corporation established under KRS Chapter 273, and provide that the voluntary cessation of participation provisions shall only apply to CERS employers who are nonstock nonprofit corporation established under KRS Chapter 273; amends KRS 78.530 to make conforming amendments and to remove provisions that allow a CERS agency whose participation has been terminated under KRS 78.535 to once again participate in CERS at a later date; amends KRS 78.535 to remove provisions regarding the termination of participation provisions in current law and to reference the cessation of participation provisions in Section 1 of this Act; amends KRS 78.540, 78.545, 78.610, 61.520, and 78.615 to conform; amends KRS 95.520, 95.621, and 95.852 to remove provisions that allow an employee to regain participation in a closed city pension plan if the agency's participation has been terminated under KRS 78.535.

HB 69

AN ACT relating to health benefit plans.

Amends KRS 304.17A-257 to require that health benefit plans cover complete colorectal cancer screening effective January 1, 2016; amends various sections of KRS Chapter 315 to specify that the requirements for licensure reciprocity with contiguous states, including but not limited to the requirement for a physical location, be substantially similar to Kentucky's requirements, allow an operator from a state that does not have licensure requirements to indicate by affidavit that he or she understands and will follow Kentucky laws, and that the contiguous state grants the same privileges to Kentucky providers, require that the two representatives of the home medical equipment and services profession serving on the advisory board be licensed under KRS 315.514, and exempt specialized equipment providers from licensure reciprocity if Kentucky does not provide that equipment; add noncodified language to establish that any cost-savings demonstration projects in Medicaid or the state employee health plan must focus on certain process improvement and patient empowerment, include established patients who have within two prior years of telehealth services visited certain established providers, not increase premiums or reduce benefits, and confirm certain savings, that an agreement be made with one or both teaching hospitals, that they be procured through competitive procurement, and that they be implemented on a larger scale if proof of concept demonstrates annual savings.

HB 76

AN ACT relating to securities.

Creates a new section of KRS 292.410 to 291.415 to establish an exemption to the Securities Act of 1933 for investments not to exceed \$10,000 by Kentucky residents via the Internet, offered by an issuer that is a business entity organized and authorized under Kentucky law and in accordance with the Federal Jobs Act of 2012, with the total issue not to exceed a total of \$1 million or \$2 million depending on whether the issuer has undergone a financial audit for the recently completed fiscal year, require the issuer to inform prospective purchasers, by a conspicuous, written disclosure that the investor may lose his or her entire investment and the investment is not regulated by any federal or state securities authority, and require the issuer to provide a statement to be signed by the investor that he or she understands the risks involved in the investment; creates a new section of KRS 292.410 to 291.415 to establish requirements for Internet Web site operators who operate a Web site for the sale of securities, pursuant to Section 1 of this Act, including registration with and examination by the commissioner of the Department of Financial Institutions; designates Act as the Kentucky Intrastate Crowdfunding Exemption.

HB 91

AN ACT relating to charitable gaming.

Amends KRS 238.505 to define “banquet” and include banquets in the list of activities that may be considered to be charity fundraising events; amends KRS 238.535 to allow raffles to be conducted beyond the limits of a county; amends KRS 238.545 to allow minors to play bingo if they are playing for noncash prizes and are accompanied by an adult, require unique identifier on raffle tickets, allow up to eight charity fundraising events per license per year, specify where charity fundraising events may be held, allow raffle tickets sold at charity fundraising events to be sold at discount package rates, and delete requirement that automated charity game ticket dispensers be used only during bingo sessions; amends KRS 238.540 to conform.

HB 92

AN ACT relating to alcohol and drug counseling.

Amends KRS 309.080 to define “licensed clinical alcohol and drug counselor,” “licensed clinical alcohol and drug counselor associate,” “licensee,” “practice of alcohol and drug counseling,” “registered alcohol and drug peer support specialist,” and “registrant”; amends KRS 309.0805 to include “licensed clinical alcohol and drug counselor,” “licensed clinical alcohol and drug counselor associate,” and “registered alcohol and drug peer support specialist” among the titles that may not be used by persons not licensed, certified, or registered under KRS 309.080 to 309.089; amends KRS 309.081 to conform; amends KRS 309.0813 to include new licensure categories, and require the Board of Alcohol and Drug Counselors to promulgate administrative regulations to define the process to register with the board; creates a new section of KRS 309.080 to 309.089 to establish requirements for registration as an alcohol and drug peer support specialist; amends KRS 309.083 to stipulate that certification requirements shall also include three hours of domestic violence training and training in suicide assessment, treatment, and management; creates a new section of KRS 309.080 to 309.089 to establish requirements for licensure as a licensed clinical alcohol and drug counselor; creates a new section of KRS 309.080 to 309.089 to establish requirements for licensure as a licensed clinical alcohol and drug counselor associate; creates a new section of KRS 309.080 to 309.089 to require the board to

promulgate regulations to define the process to register as a supervisor of record; amends KRS 309.084 to eliminate outdated language and require the board to temporarily extend licensure to certified alcohol and drug counselors with at least a master's degree; creates a new section of KRS 309.080 to 309.089 permitting licensure, certification, or registration by reciprocity; amends KRS 309.085, 309.086, 309.087, and 309.089 to conform; creates a new section of KRS 309.080 to 309.089 to require the board to deposit all moneys into a revolving fund in the State Treasury; amends KRS 194A.540 to include licensed alcohol and drug counselors and alcohol and drug peer support specialists; amends KRS 210.366 to conform; amends KRS 222.005 to include licensed or certified alcohol and drug counselors under the term "qualified health professional."

HB 100

AN ACT relating to energy project assessment districts or EPAD.

Creates new sections of KRS Chapter 65 to allow local governments to establish energy project assessment district (EPAD) programs in order to advance the efficient use of energy and water resources by allowing for energy projects to be financed by assessments imposed on only those properties participating in a program, define terms, establish the basic required parameters of a program, allow local governments to impose assessments on participating properties and provide the terms for the collection of the assessments, including the grant of senior tax lien status therefor, allow local governments to issue bonds to finance a program, prohibit a local government from imposing an assessment on property under a program except upon the request of the owner of record, provide that no provision of the Act shall be interpreted to expand the statutory powers or use of eminent domain belonging to a local government, state agency, or private entity, provide that a local government may only engage financing to administer a program from certain financial institutions, and designate Act as the Energy Project Assessment Act of 2015.

HB 104

AN ACT relating to trusts and estates.

Amends KRS 386B.10-050 to provide that a claim for breach of trust must be brought within five years of discovery of injury by the trustee to the rights of the beneficiary; amends KRS 386B.8-180 to allow that a trustee may elect to proceed under this section for distribution of trust assets upon termination of the trust or upon the removal or resignation of a trustee; require that if a trustee proceeds under this section, he or she must notify the beneficiary or other qualified person and provide specific documentation relating to the trust assets and accounting, provide that a beneficiary has forty-five days from the date the notice is sent to proffer a written objection to the trustee relating to the distribution of assets upon termination of the trust, allow that a trustee may request a resolution of the beneficiary's objections with the court or enter into an agreement with the beneficiary, allow that the agreement between parties may contain an indemnity or release clause as to the beneficiary against the trustee, enumerate that upon the resolution of the beneficiary's objection, the trustee will proceed with the distribution of the trust assets, enumerate that if a trust is distributed upon termination pursuant to this section any person who consented or did not object per the requirements of this section is barred from bringing a claim against the trustee for breach of trust or the validity of the trust; amends KRS 413.120 and KRS 413.130 to conform; repeals KRS 413.340.

HB 115

AN ACT relating to the dates of the Korean conflict.

Amends KRS 40.010 to redefine the period of the “Korean conflict” to match the federal designation of June 27, 1950, to January 31, 1955.

HB 117

AN ACT relating to insurance.

Amends KRS 304.3-400 to exempt risk retention groups, defined by federal law, from the definition of captive insurers; amends KRS 304.37-050 to strengthen the confidentiality of records in the possession or control of the Department of Insurance, authorize the commissioner to share confidential records with state, federal, and international regulatory agencies and law enforcement, and the National Association of Insurance Commissioners, subject to a written agreement of confidentiality, and establish procedures and protocols for sharing information; creates new sections of KRS 304.6-120 to 304.6-180 to define terms relating to valuation for life insurance, accident and health insurance, Fraternal Benefit Society insurance, and deposit-type insurance policies, establish valuation standards and reserves requirements for insurers, establish requirements for treatment of confidential information obtained in the course of an insurance examination, establish the governmental entities with which confidential information may be shared and restrict the use of confidential information under the Open Records law and by the court, authorize the commissioner of insurance to exempt specific product forms or product lines of a domestic insurance company that is licensed and doing business only in Kentucky from the valuation requirements, and establish different requirements for these domestic insurers; amends KRS 304.6-130 to reference the operative date of the valuation manual adopted by the National Association of Insurance Commissioners, to cross-reference applicable sections of the bill, and to implement a timeline for implementation of the valuation manual for current or future policies; amends KRS 304.6-150 to cross-reference sections created by this Act; amends KRS 304.6-160 to require actuaries assessing reserves to be appointed rather than qualified; amends KRS 304.6-170 to provide that the rate or rates of interest used for policies not be greater than, rather than higher than, rates used in calculating nonforfeiture benefits; amends KRS 304.6-171 to cross-reference new statutes and requires all life insurers to submit an annual opinion of the appointed actuary to the commissioner and establishes requirements for the actuary’s opinion; creates a new section of KRS 304.15-310 to 304.15-360 to define “operative date of the valuation manual” for Subtitle 15 of KRS Chapter 304 relating to life insurance and annuity contracts; amends KRS 304.15-342 to authorize adoption of various standardized mortality tables prior to the operative date of the valuation manual; amends KRS 160.310 authorizing a local school board to set aside funds for school bus basic reparation benefits as defined in KRS 304.39-020 and as provided in KRS 304.39-010 to KRS 304.39-080.

HB 134

AN ACT relating to pari-mutuel wagering and declaring an emergency.

Amends KRS 138.510 to exempt a two-day international horse racing event that distributes more than \$20,000,000 in purses and awards from the excise tax imposed on pari-mutuel wagering, make the exemption apply to money wagered at the track on live races conducted at the track during the international event, exclude money wagered at the track on live races conducted at the track during the international event from the calculation of the track’s

daily average live handle, and make the exemption effective from January 1, 2015, to December 31, 2017; EMERGENCY.

HB 136

AN ACT relating to the administration of municipal property taxes.

Amends KRS 91A.070 to establish procedures for city ad valorem taxes not collected by the sheriff, including the due date, possible installment payments, penalties and interest for nonpayment, and other matters not in conflict with law, and establish that ordinance may also provide an amnesty program for forgiveness or reduction of taxpayer penalties or interest.

HB 144

AN ACT relating to in-home care for elderly and disabled persons.

Creates a new section of KRS Chapter 205 to establish the Hospital-to-Home Transition Program to provide temporary services to elderly and disabled persons when they are discharged from an institutional setting to their home or a community setting, require an applicant to submit a completed application, require the cabinet to make an eligibility determination within 60 days, require the Department for Medicaid Services to submit an application for a waiver to the Centers for Medicare and Medicaid Services, require the cabinet to request funding and begin the program by July 1, 2016, subject to funding, and require the department to promulgate administrative regulations.

HB 147

AN ACT relating to the Kentucky Historical Society.

Amends KRS 171.311 to clarify that the Kentucky Historical Society may display objects in the Thomas D. Clark History Center and Kentucky Military History Museum, rename the executive committee of the Kentucky Historical Society the governing board, change the title of the director of the Kentucky Historical Society to executive director, allow the Kentucky Historical Society to distribute reports, books, and other publications electronically, and allow notification of meetings of the Kentucky Historical Society to be distributed by mail or electronically; amends KRS 171.315 to change the headquarters of the Kentucky Historical Society to the Thomas D. Clark History Center; amends various sections of the Kentucky Revised Statutes to conform.

HB 148

AN ACT relating to auctioneers.

Amends KRS 324.020 to authorize licensed real estate brokers to pay licensed auctioneers for services rendered in the collaborative sale of real estate at auction; creates a new section of KRS Chapter 330 to enable licensed auctioneers and licensed real estate brokers to collaborate in cases where real estate is sold at auctions; amends KRS 330.030 to include non-auctioneer co-owners of an auction house who actively participate in the operation of the auction house to the list of those who are prohibited from advertising or acting as an auction house operator without a license issued by the board, and include managers to the list of those required to obtain an auction house license; amends KRS 330.060 to remove the July 1, 2010, 8-hour requirement of approved classroom instruction for apprentice auctioneer applicants, and lower the pre-license education requirement to 12 hours; amends KRS 330.070 to change the apprenticeship period from two years to one year, authorize the board to waive the 80 hours of

classroom instruction if the applicant demonstrates sufficient previous auction experience and competency, exempt licensees who have 25 years of continuous licensure from completing a 6-hour board-approved core course every 4 years, require all apprentice auctioneers and auction house operators to complete the core course within one year prior to the examination or during the first year of licensure, allow an individual to carry a digital copy of his or her license, and require the completion of the core course to reactivate a license that has been placed in escrow; amends KRS 330.110 to authorize the board to levy fines of no more than \$2,000 per offense, require a descriptive inventory receipt be provided to all persons consigning personal property with any licensee for auction, include the executive director to the list of those who have the authority to request auction-related information from licensees, include failure of a principal auctioneer to provide reasonable supervision to apprentice auctioneers as grounds for disciplinary action, and add a \$5,000 cap to fines for any single incident or complaint; amends KRS 330.115 to permit licensees to respond to a complaint against them in 20 days instead of 20 working days; amends KRS 330.192 to reduce the recovery fund from \$500,000 to \$250,000.

HB 149

AN ACT relating to the continuing education of real estate licensees.

Amends KRS 324.085 to allow online hours as an acceptable form of continuing education, define post-license education, require licensees to complete 48 hours of classroom or online hours of commission-approved post-license education from an accredited institution or commission-approved real estate school or broker-affiliated training program within two years of receiving or activating an initial sales associate license, explain the conditions that warrant a licensed being canceled, authorize real estate licensees to appeal the cancellation of a license, exempt existing licensees from being required to complete their post-license education, and require post-license instructors to maintain a minimum rating as prescribed by the commission; amends KRS 324.010 to expand the definition of “canceled to conform.”

HB 150

AN ACT relating to elections.

Amends KRS 117.265 to make any candidate for county, urban-county, consolidated local government, charter county government, or unified local government office who is defeated in a partisan or nonpartisan primary ineligible to run as a write-in candidate for the same office in the regular election.

HB 152

AN ACT relating to telecommunications.

Creates a new section of KRS Chapter 278 to modify the telecommunications deregulation plan in KRS 278.541 et seq., end most Public Service Commission authority over exchanges that contain 15,000 or more housing units as of January 1, 2015, for less populous exchanges, reduce PSC jurisdiction and the obligation to provide basic local exchange (wireline) service, give utility the option to substitute internet protocol or wireless service in some situations, give customers in some situations the right to reject IP or wireless service and have their wireline restored, end PSC jurisdiction over consumer cellphone complaints, end PSC jurisdiction over consumer broadband complaints, provide that federal jurisdiction is unaffected, and retain PSC jurisdiction over wholesale issues, carrier to carrier, anti-competitive practices; amends KRS 278.54611 and 278.5462 to conform.

HB 153

AN ACT relating to solicitation of a person involved in a motor vehicle accident for healthcare services.

Creates a new Section of KRS Chapter 367 to define “healthcare provider,” “intermediary,” and “solicit”; creates a new section of KRS Chapter 367 to prohibit solicitation of a person involved in a motor vehicle accident by a health care provider or the provider’s intermediary for the purpose of obtaining basic reparation benefits, specify prohibited acts by a health care provider, provide that a health care provider is responsible for a contact made by an intermediary with a person involved in a motor vehicle accident, require any health care provider who has knowledge of a violation within their scope of practice to notify the appropriate licensure or regulatory board of the violation, require the appropriate licensing or regulatory authority to impose sanctions on the health care provider who violates the solicitation prohibition, prohibit a health care provider who violates the prohibition on solicitation of patients from pursuing collection of charges from a person involved in a motor vehicle accident or on behalf of the person involved in a motor vehicle accident, and provide that any charges billed and paid by or on behalf of a person involved in a motor vehicle accident to the healthcare provider be returned to the payor; amends KRS 21A.300 to conform; repeals KRS 367.409.

HB 163

AN ACT relating to reemployment after retirement.

Amends KRS 61.637 to provide that effective July 1, 2015, local school districts shall not be required to reimburse Kentucky Retirement Systems for retiree health care premiums for reemployed retirees who work less than 80 days a year.

HB 164

AN ACT relating to employment opportunities for veterans.

Creates a new Section of KRS Chapter 40 to establish a voluntary veterans’ preference employment policy encouraging private employers to hire veterans and permitting the Education and Workforce Development Cabinet to create a registry of participating employers.

HB 165

AN ACT relating to Paint horses.

Amends various sections of KRS Chapter 230 to define the term “Paint horse” as a horse registered with the American Paint Horse Association (APHA) of Fort Worth, Texas, include paint horse in the definition of “Horse race meeting” and the “Kentucky quarter horse, Paint horse, Appaloosa, and Arabian purse fund,” amend the Kentucky quarter horse, Appaloosa, and Arabian development, and purse funds to include the Paint horse, and include the Paint horse breed in the limitations and conditions for interstate simulcasting and wagering at thoroughbred tracks, harness tracks, and simulcast facilities; amends KRS 138.510 to subject Paint horse racing to the excise taxes paid on pari-mutuel wagering; amends KRS 230.750 and 230.443 to conform.

HB 168

AN ACT relating to incompatible licenses.

Amends KRS 243.110 to specify malt beverage licenses that are to be considered incompatible.

HB 172

AN ACT relating to underground facility protection.

Amends KRS 367.4903 to change the definition of “business day” to “working day” as used in KRS 367.4903 to 367.4917, the Underground Facilities Damage Prevention Act of 1994, and define “large project”; amends KRS 367.4909 to add a response time period for large projects; amends KRS 367.4911 and 367.4913 to conform; amends KRS 367.4917 to allow enforcement to be determined at the conclusion of an investigation and based on any evidence available to the agency issuing the citation.

HB 178

AN ACT relating to income tax refund designations and related programs, and making an appropriation therefor.

Creates two new sections of KRS Chapter 141 allowing a designation of a portion of an income tax refund as a contribution to the Kentucky Special Olympics or to the pediatric cancer research trust fund, require the designations to be printed on the face of the individual income tax form, require a description of the designations and of the trust fund in the individual income tax return instructions, and require the Department of Revenue to transfer the funds designated to the Special Olympics or to the pediatric cancer research trust fund; creates new sections of KRS Chapter 211 to establish the pediatric cancer trust fund, the trust fund board, and duties of the board; effective for taxable years beginning on or after January 1, 2016.

HB 179

AN ACT relating to the sale of motor vehicles.

Amends KRS 190.080 to eliminate the requirement that motor vehicle dealers place a sticker on a used motor vehicle notifying buyers of the requirement that a dealer must furnish previous consumer-owner information upon request; amends KRS 186A.530 to conform.

HB 181

AN ACT relating to reemployment of retired officers.

Amends KRS 70.291 to include retired state troopers in the definition of “police officer”; amends KRS 70.292 to allow sheriffs’ offices the ability to employ retired state troopers if they meet certain standards; amends KRS 70.293 to include retired state troopers in the provision that allows retired police officers employed by a sheriff’s office to continue to receive the benefits they were eligible to receive upon retirement but not to accrue any additional retirement or health benefits during reemployment, and prohibit retirement and any health contributions from being paid to Kentucky Retirement Systems or the Kentucky Employees Health Plan on a retired officer who is reemployed under these provisions.

HB 201

AN ACT relating to loans secured by a real estate mortgage.

Amends KRS 382.520 to provide that a loan secured by a real estate mortgage shall secure payment of all interest rate modifications, rather than interest rate reductions.

HB 202

AN ACT relating to taxation.

Amends KRS 91A.392 to allow excess money collected from the transient room tax to be used to defray the costs to operate, renovate, or expand a governmental or nonprofit convention center or fine arts center if an amount equal to one year's required debt service is held in reserve to satisfy any future debt service obligations of the bond, and provide that the amendments made to KRS 91A.392 shall only apply in the case of taxes levied prior to the effective date of the Act, and only by fiscal courts of counties having a population between 75,000 and 100,000; amends KRS 141.381 to extend the Metropolitan College tax credit to 2027; makes conforming changes; effective July 1, 2015.

HB 209

AN ACT relating to special license plates.

Amends KRS 186.162 to create a Gold Star Siblings license plate with the extra fees going to the veterans' program trust fund; amends KRS 186.164 to set forth eligibility requirements; effective January 1, 2016.

HB 225

AN ACT relating to fire departments.

Amends KRS 95.500, relating to fire department platoons in cities on the registry compiled by the Department for Local Government, to require the division of the fire department into platoons to exclude, in addition to the fire chief and assistant chief, clerical employees, maintenance employees, fire inspectors, and arson investigators from being on call for 24 hours with the platoon.

HB 232

AN ACT relating to the Craft Academy for Excellence in Science and Mathematics.

Amends KRS 158.140 to allow the Craft Academy for Excellence in Science and Mathematics to award a high school diploma, and allow the local school district to award a joint diploma with the Craft Academy; amends KRS 164.002 to include the Craft Academy in the definitions of dual credit and dual enrollment; amends KRS 164.7874 to allow students enrolled in the Craft Academy to earn KEES scholarships; amends KRS 164.7885 to require the Craft Academy to report data for KEES scholarship purposes.

HB 234

AN ACT relating to early childhood.

Amends KRS 199.8943 to clarify participating agencies and establish schedule for implementing a quality-based graduated early care and education program rating system for providers, provide definitions of federally funded time limited employee, primary school program, and public-funded as necessary for implementing KRS 199.8943, clarify applicability between public-funded and private programs, and require the Early Childhood Advisory Council to provide annual progress reports to the Interim Joint Committee on Education and the Interim Joint Committee on Health and Welfare; amends KRS 199.8941 to conform; amends KRS 199.896 to require child-care centers that provide instructional and educational programs for preschool-aged children that operate for a maximum of 20 hours per week and which a child attends for no more than 15 hours per week to notify the Cabinet for Health and Family Services

that it is operating and to meet all child-care licensure requirements and administrative regulations related to employee background checks and tuberculosis screenings, and establish that child-care centers that provide instructional and educational programs for preschool-aged children and that operate for a maximum of 20 hours per week and which a child attends for no more than 10 hours per week shall be exempted from all child-care licensure requirements and administrative regulations; amends KRS 199.8996 to require the Cabinet for Health and Family Services and the Early Childhood Advisory Council to report plan for sustaining quality-based system after depletion of federal funds.

HB 239

AN ACT relating to licensed professions.

Amends KRS 317.450 to require an applicant for a probationary license to possess a high school diploma, GED certificate, or transcript from an institution that is recognized by the educational authority of the issuing state, eliminate the 30-day grace period and order a license to be renewed annually on June 1 through July 1, and direct an applicant who fails to renew a license within five years of its expiration to complete requirements for relicensure; amends KRS 317.440 to require the board to promulgate administrative regulations to establish qualifications for applicants and enrollees in barber schools; amends KRS 317.540 and KRS 317A.090 to implement Title IV funding eligibility language for barber schools and schools of cosmetology, respectively.

HB 241

AN ACT relating to the Court of Justice.

Amends KRS 21A.110 to modify the method of calculating the per diem salary for retired judges or justices called to temporary active judicial service.

HB 248

AN ACT relating to the provision of healthcare services.

Amends KRS 214.610, 214.620, 311.450, 311.571, 311.601, 311.674, 311.844, 311.901, 311A.115, 311A.120, 312.085, 312.175, 314.041, 314.042, 314.051, 314.073, 315.050, 315.065, 320.250, 320.280, 327.050, 327.060, 333.100, 333.190, 335.080, 335.090, 335.100, and 335.150 to update continuing education requirements on human immunodeficiency virus infection and acquired immunodeficiency syndrome; creates new sections of KRS Chapter 311 to define terms, permit health care practitioners to prescribe and dispense epinephrine auto-injectors in the name of an authorized entity or to a certified individual, permit the Department for Public Health to approve training by certain entities, permit certified individuals to receive, possess, and administer epinephrine auto-injectors during severe allergic reactions, permit authorized entities to stock epinephrine auto-injectors, and provide for immunity from civil liability for any personal injury for good faith actions to treat an allergic reaction in an emergency when a health care practitioner is not immediately available; titles Sections 29 to 31 of the Act as the Emergency Allergy Treatment Act; repeals KRS 214.615.

HB 258

AN ACT relating to physician assistants.

Amends KRS 311.854 to allow a physician to supervise up to four physician assistants at the same time.

HB 260

AN ACT relating to postsecondary student financial assistance.

Repeals KRS 164A.337 and reenacts as a new section of KRS 164.740 to 164.7911 to repurpose the Kentucky Educational Savings Plan endowment trust; amends the new section to allow the endowment trust to provide college access programs, delete reference to the Kentucky Educational Savings Plan Trust, and make technical amendments; repeals KRS 164A.315, which provides for administrative support of the Kentucky Educational Savings Plan endowment trust.

HB 268

AN ACT relating to relating to Kentucky Educational Excellence Scholarships and declaring an emergency.

Amends KRS 164.002 to define “Cambridge Advanced International”; amends KRS 164.7879 to add Cambridge Advanced International exams to the high school exams eligible for KEES supplemental awards; amends KRS 164.7874, 164.7881, and 164.7885 to conform; makes provisions retroactive beginning with the 2013-2014 school year; EMERGENCY.

HB 274

AN ACT relating to military affairs.

Amends KRS 154.12-203 to include the chairperson of the Kentucky Committee for Employer Support of the Guard and Reserve and the commander of the 11th Theatre Aviation Command, U.S. Army Reserve, to the Kentucky Commission on Military Affairs, clarify that legislative representation on the commission will be the chairs of the Senate Veterans, Military Affairs, and Public Protection Committee and the House of Representatives Veterans, Military Affairs, and Public Safety Committee, and require commission meet one time per year.

HB 275

AN ACT relating to military affairs.

Amends KRS 360.085 to clarify that local installation management funds at Department of Military Affairs facilities, including armories, are generally staffed by state employees, but that the adjutant general may appoint a member of the Kentucky National Guard as custodian when a state employee is not stationed at that location; amends KRS 360.086 to update the discretionary expense amounts that the local installation management fund custodian can approve versus discretionary expense amounts that require approval of the executive director of the Department of Military Affairs or the adjutant general.

HB 276

AN ACT relating to wastewater.

Amends KRS 224A.111 governing loans made by the Kentucky Infrastructure Authority using the federally assisted wastewater fund to provide for a 30-year payback period and to commence principal and interest payments on the loan no later than one year after initiation of operations.

HB 298

AN ACT authorizing bonds for a postsecondary education capital project, making an appropriation therefor, and declaring an emergency.

Appropriates to the University of Kentucky from the General Fund \$5,459,000 in fiscal year 2015-2016 for debt service to support General Fund Bonds; authorizes and appropriates \$132,500,000 in Bond Funds in fiscal year 2014-2015 and \$132,500,000 in Restricted Funds in fiscal year 2014-2015 for construction of a Research Building at the University of Kentucky; establishes that it is the intent of the 2015 General Assembly that the University of Kentucky not base any decision to proceed with the capital project on an expectation of receiving any General Fund moneys for the operation and maintenance of that facility in future biennia; stipulates that all authorizations and appropriations for the capital project shall expire on June 30, 2016, unless reauthorized, with the following exceptions: a construction or purchase contract for the project is awarded, or permanent financing or a short-term line of credit sufficient to cover the total authorized bonds is obtained if the appropriated project completes an initial draw on the line of credit within the fiscal biennium immediately subsequent to the original bond authorization; EMERGENCY.

HB 299

AN ACT relating to taxation and declaring an emergency.

Amends KRS 132.380 to clarify that, if a second property valuation administrator exam within a county is necessary, notice shall be made by issuing a press release in that county and by posting an announcement on the Web site of the Department of Revenue; amends KRS 133.020 to allow for an authorized person other than the county judge/executive to swear in a new member of the local board of assessment appeals; amends KRS 133.120 to clarify that real estate appraisers may represent a property owner in assessment appeals; amends KRS 136.180 to clarify that common carrier water transportation companies are taxed as public service corporations under KRS 136.1801 to 136.1805; amends KRS 136.1877 to make conforming changes; amends KRS 136.310 to clarify that the total value of bank deposits maintained in Kentucky shall be determined by the same method used for filing the summary of deposits report with the Federal Deposit Insurance Corporation for purposes of the foreign savings and loan tax; amends KRS 136.555 to correct a statutory reference related to the local government franchise tax on bank deposits; amends KRS 138.330 to clarify that a financial instrument is an acceptable form of surety for motor fuels taxes; amends KRS 138.460 to conform to finalized litigation related to the return of a motor vehicle to a dealer within 60 days; amends KRS 138.4603 to remove an incorrect formula for determining the retail price of a new vehicle; amends KRS 131.183 to base the annual adjustment of the tax interest rate on prime rate charged by banks in September rather than October; amends KRS 141.180 to make approvals of innocent spouse relief effective as of the date that the relief is approved by the Internal Revenue Service or the department, allow for payments made after the effective date of the relief to be refunded as applicable, and make various other technical corrections to revenue statutes; creates a new section of KRS 138.210 to 138.240 to establish the method by which the department shall determine the average wholesale price of gasoline; amends KRS 138.210 to add definitions and arrange definitions in alphabetical order, and make conforming changes; amends KRS 138.220, 138.340, 138.349, 138.655, and 224.60-115 to conform, and require the Department of Revenue to notify licensed dealers of the average wholesale price upon passage of the Act; EMERGENCY.

HB 312

AN ACT relating to stray equines and cattle.

Amends KRS 259.120 to require county judge/executives to contract with a licensed veterinarian, who will document the stray equine's breed, color, sex, marks, brands, scars, and other distinguishing features, perform a microchip scan, and identify the existence of lip tattoos, freeze brands, or microchips, require the county judge/executive to record the veterinarian's findings, the name and residence of the taker-up, and the location of the stray equine, maintain documentation in electronic and paper format, and send a copy of the documentation of stray equine to the Office of the State Veterinarian, require the Office of the State Veterinarian to post notification on the Office of the State Veterinarian's Web site and require the Office of the State Veterinarian to post one photograph of the stray equine's front view and one photograph of the stray equine's side view, require the hold time for stray equines to begin after all documentation has been properly filed and posted by the county judge/executive and taker-up, require that, if ownership is found from identifiers of the stray equine, efforts be made by the county judge/executive or his or her designee to ascertain the owner by investigatory due diligence in locating the owner and providing notice before holding time expires, require the owner/claimant of the stray equine to reimburse the county judge/executive for the cost of the veterinarian assessment per the contracted agreement, allow parties of a dispute relating to ownership, adverse claimants, third-party claims or liens, value of the equine, or actual itemized expenses incurred, to file an action in a court of competent jurisdiction in which the stray equine was taken up, require the filing of an action to toll holding time as to vesting of ownership interests, and allow taker-up of the stray equine to sterilize only after the 15-day holding period has expired, ownership has vested, and any pending court cases pertaining to the stray equine have been resolved; amends KRS 259.130 to require that absolute ownership of a stray equine vest in the taker-up at the expiration of 15 days after the county judge/executive and taker-up have filed and posted the required documentation; amends KRS 259.140 to exempt the taker-up from paying the owner of the stray equine if the stray equine is sold for profit before absolute ownership of the stray equine has vested, require the owner not be entitled to any payment from the taker-up if demand for payment is made more than 15 days after the posting of stray equine and vesting of ownership, and require that participating state agencies be immune from criminal and civil liability for any act related to taking up and posting of stray equine.

HB 314

AN ACT repealing the certified volunteer firefighter identification program.

Repeals KRS 95A.080, the certified volunteer firefighter identification program.

HB 315

AN ACT relating to the protection of children in motor vehicles.

Amends KRS 189.125, relating to vehicle occupant restraints, to require booster seats to be used by children who are less than eight years old and are between 40 and 57 inches in height, and clarify that a child of any age who is over 57 inches in height shall not be required to be secured in a booster seat.

HB 316

AN ACT relating to address protection and making an appropriation therefor.

Creates a new section of KRS Chapter 23A and 24A to establish an additional administrative fee of \$30 for perpetrators of sex crimes and stalking, and provide that \$1.50 be placed in the general fund with the remainder allocated to the address protection program fund; amends KRS 14.260 to establish the address protection program fund to establish, operate, and maintain the confidential address protection program, and require the Secretary of State to expand program if funds are available.

HB 329

AN ACT relating to pain management facilities.

Amends KRS 218A.175 to modify the regulatory, operational, and ownership requirements for pain management facilities that are owned solely by physicians and other practitioners.

HB 330

AN ACT relating to military affairs.

Amends KRS 156.730 to clarify the process of appointing a member from the Senate and House of Representatives to the Kentucky State Council for the Interstate Compact on Educational Opportunity for Military Children.

HB 333

AN ACT relating to peace officers.

Amends KRS 15.520 relating to complaints against police officers to set up a system of disciplinary protocols relating to law enforcement agency proceedings against an officer accused of misconduct; creates a new section of KRS 67C.301 to 67C.327, relating to a police force merit system in a consolidated local government, to create a similar disciplinary protocol system for officers employed by consolidated local governments.

HB 340

AN ACT relating to the expansion of the film tax credits.

Amends KRS 148.542 to add definitions for “enhanced incentive county,” “Kentucky-based company,” and “resident”; amends KRS 148.544 to establish thresholds for Kentucky-based companies to qualify for the film tax credit incentives and lower the thresholds for all other companies, and increase current incentives for a motion picture or entertainment production filmed or produced in a county other than an enhanced incentive county and further increase the incentives for those productions filmed or produced in an enhanced incentive county; amends KRS 148.546 to require additional information to be included on the application for the incentives, incentive agreement, and cost report and apply to taxable periods beginning on or after January 1, 2015.

HB 348

AN ACT relating to local government.

Amends KRS 65A.010 to exclude chambers of commerce and housing authorities meeting certain requirements from the definition of “special purpose governmental entity” and to clarify that a private entity does not include an entity that is created wholly or in part by a local

government or one whose membership includes appointees by a local government, or whose voting membership includes ex-officio local government officials, and clarify that excluded entities are those whose finances, as well as their budgets and financial information, are integrated with the local government in which it operates; amends KRS 65A.020 to allow one-time grant revenues to be excluded in the calculations of the level of the annual fees the special purpose governmental entities are to pay DLG for the registration fees; amends KRS 65A.030 to allow a board, commission, or agency established by statute that has regulatory or oversight responsibilities for a category of special purpose governmental entities to, with the auditor of public accounts' consent, provide alternative financial reviews to satisfy the attestation engagement requirement in the section, and allow the exclusion of one-time grant receipts in determining the requirements relating to audits and financial statements of the special purpose governmental entities; amends KRS 65.003, relating to local ethics, to remove the provisions exempting non-paid members of jointly created agencies from filing financial disclosure statements and also remove the exemption for board members, officers, and employees of special purpose governmental entities from filing financial disclosure statements.

HB 357

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 358

AN ACT relating to military affairs and declaring an emergency.

Creates a new section of KRS Chapter 36 to authorize the adjutant general to establish morale, welfare, and recreation facilities on Department of Military Affairs property, for use by current and former members of the Kentucky National Guard, their dependents, and civilian employees of the United States or this state working under the department's management or in support of department activities; provides that operation of program will be funded with private donations and without appropriations from the state or federal government; EMERGENCY.

HB 363

AN ACT relating to accountancy.

Amends KRS 325.261 to eliminate experience gained from teaching accounting courses to satisfy the one-year experience requirement, and clarify the five-year expiration period for exam scores; amends KRS 325.270 to eliminate adding an administrative regulation for reinstating exam scores; amends KRS 325.220 to include a new service under the definition of "attest service," establish "report" as a new definition, authorize the State Board of Accountancy to promulgate administrative regulations to define terms that are not included in this Act, and enable nonlicensees to use safe harbor language in regard to a compilation of financial information; amends KRS 325.280 to allow applicants in good standing from foreign countries to be issued licenses to practice without taking an exam if the authority that licensed the applicant in the foreign country already regulates the issuance of reports; amends KRS 325.301 to include

a new exception for firms that aren't required to obtain a license to practice in the state, and remove "financial statements" as an item that requires a signature by applicants who are responsible for signing or authorizing others to sign reports on behalf of the firm; amends KRS 325.380 to prohibit those who do not hold a CPA license from using language conventionally used by licensees on any attest service.

HB 370

AN ACT relating to traffic regulations.

Amends KRS 189.338 to establish an affirmative defense for an operator of a motorcycle for a violation of entering or crossing an intersection controlled by a traffic signal against a steady red light, establish criteria for an affirmative defense, provide that the affirmative defense shall not constitute a defense to any other civil or criminal action, exempt the Transportation Cabinet from civil liability arising from the affirmative defense established in this Act, and require that any claims, lawsuits, or disputes be brought using the provisions outlined in KRS Chapter 44.

HB 377

AN ACT relating to medical service providers.

Amends KRS 315.010 to permit a collaborative agreement to be made between more than one pharmacist and practitioner if certain agreement provisions are met.

HB 378

AN ACT relating to motor vehicle usage tax.

Amends KRS 138.470 to exempt from motor vehicle usage tax vehicles purchased from a Kentucky dealer by any resident member of the military assigned to duty in the Commonwealth.

HB 380

AN ACT relating to school employees.

Amends KRS 161.190 to prohibit the abuse of a classified school employee when the employee is functioning in his or her capacity as a board of education employee.

HB 395

AN ACT relating to reorganization.

Confirms Executive Order 2014-986, relating to the reorganization of the Department of Veterans Affairs, and the establishment of the Radcliff Veterans Center.

HB 402

AN ACT relating to human services.

Amends KRS 210.770, 210.775, 210.780, and 210.795 to clarify references to the Hart-Supported Living Council, and associated services, which was moved out of the Department for Behavioral Health, Developmental and Intellectual Disabilities into the Cabinet for Health and Family Services, and confirm Executive Order 2014-988, dated December 17, 2014, reorganizing the Cabinet for Health and Family Services by establishing the Division of Program Integrity within the Department for Behavioral Health, Developmental and Intellectual Disabilities; amends KRS 164.298 to update nursing education accreditation requirements; amends KRS 217.015 to add advanced practice registered nurse to definition of "prescription";

amends KRS 314.011 to update definitions; amends KRS 314.025 to delete reference to nursing workforce competency development grants; amends KRS 314.026 to delete the Kentucky Nursing Incentive Scholarship Fund Grant Review Committee; amends KRS 314.041 to delete reference to a board-approved practical nursing role delineation course; amends KRS 314.042 to require collaborative agreements for advanced practice registered nurses' prescriptive authority to be with a physician licensed in Kentucky; amends KRS 314.071 to require nurse applications for licensure to be truthful and accurate; amends KRS 314.073 to update language; amends KRS 314.085 to replace required chemical dependency evaluation with neuropsychological, psychosocial, psychosexual, and substance use disorder evaluations; amends KRS 314.109 to add that an attested or certified copy of an order for a misdemeanor or felony criminal conviction may be submitted to the board; repeals KRS 314.043, 314.061, 314.450, 314.452, 314.454, 314.456, 314.458, 314.460, 314.462, and 314.464.

HB 407

AN ACT relating to reorganization.

Amends various sections of the Kentucky Revised Statutes to abolish the Office of Mine Safety and Licensing, the Division of Safety Analysis, Training, and Certification, and the Division of Safety Inspection and Licensing, create the Division of Mine Safety in the Department for Natural Resources, attach the Kentucky Mining Board to the Department for Natural Resources, add new designation for a mine safety specialist and delete designation for inspectors, instructors, educators, and analysts, delete requirement for mine safety analysts to have five years experience, change district offices to regional offices, and confirm Executive Order 2014-390.

HB 408

AN ACT relating to executive branch entities.

Amends KRS 56.777 to add a representative of the Kentucky Ready Mixed Concrete Association and the Plantmix Asphalt Industry of Kentucky to the High-Performance Buildings Advisory Committee, and remove the representative from the Home Builders Association appointed by the Governor; amends KRS 227.450 to define "alteration," "commissioner," "division," "electrical system," and "repair," and authorize a local government to issue an electrical permit to a certified low-voltage installer; amends KRS 227.491 to require an electrical inspector to verify licensure on projects in his or her jurisdiction and to report violations to department within 10 days of discovery; amends KRS 227.530 to include on the Electrical Advisory Committee one electrical inspector contracted to conduct inspections of electrical installations and the commissioner of the Department of HBC, or a designee; amends KRS 227A.010 to define "electrical system" and "repair"; amends KRS 45A.030 to include the definition of "construction manager-general contractor"; amends KRS 45A.183 to provide for the construction manager-general contractor method of capital construction, and provide for the secretary to promulgate administrative regulations to implement this method; amends KRS 45A.837 to raise the limits for price contracts for architectural, engineering, and engineering-related services; amends KRS 45A.180 to include reference to construction manager-general contractor as an alternative construction delivery method; amends KRS 164A.575, 164A.580, and 164A.595 to allow public universities to use the construction manager-general contractor delivery method; amends KRS 153.410 to increase membership in

the Kentucky Center for the Arts Corporation to 19 members; confirms Executive Order 2014-585.

HB 413

AN ACT relating to reorganization.

Confirms Executive Order 2014-987, which reorganizes various offices in the Department for Libraries and Archives.

HB 417

AN ACT relating to the hazardous waste management fund.

Amends KRS 224.46-580 to extend the levy of the hazardous waste management assessment until June 30, 2024.

HB 427

AN ACT relating to crimes against children and making an appropriation therefor.

Creates a new section of KRS Chapter 23A to impose an additional \$10 fee as court costs in criminal cases heard in Circuit Court to supplement funding for the Kentucky State Police's Internet Crimes Against Children Task Force; creates a new section of KRS Chapter 24A to impose an additional \$10 fee as court costs in criminal cases heard in District Court to supplement funding for the Kentucky State Police's Internet Crimes Against Children Task Force; creates a new section of KRS Chapter 529 in regard to commercial sexual activity with a minor which removes being mistaken about a minor's age as a defense to prosecution; amends KRS 531.330 to conform.

HB 428

AN ACT relating to corrections.

Amends KRS 196.037 to allow Department of Corrections Internal Affairs officers and supervisors of the department to have the powers of peace officers while carrying out their duties; amends KRS 186.412 to remove the requirement that offenders not born in Kentucky released by DOC present a birth certificate in order to obtain a driver's license; amends KRS 237.110 to allow current and retired Department of Corrections officers who have completed firearms training related to their employment to be exempt from training requirements for permits to carry a concealed deadly weapon; amends KRS 441.064 to ensure that the governing bodies of local correctional facilities are properly notified of findings of jail inspections and jail conditions; amends KRS 441.115 to require that jail employees receive training on communicable diseases.

HB 429

AN ACT relating to the Kentucky Child Care Advisory Council.

Creates a new section of KRS 199.892 to 199.8996 to establish the Kentucky Child Care Advisory Council, establish membership, establish duties, and require an annual report.

HB 440

AN ACT relating to business entities.

Amends KRS 14.105 to allow the use of electronic signatures on statutory trust and unincorporated nonprofit association filings with the Secretary of State; amends KRS 14A.2-010

to allow the Secretary of State to redact statutorily protected information in filings; amends KRS 14A.3-010 to establish the naming requirements for an unincorporated nonprofit association; amends KRS 14A.6-010 to establish the naming requirements for a foreign unincorporated nonprofit association; amends KRS 14A.9-010 to exempt foreign insurers with certificates of authority from the commissioner of the Department of Insurance from having to obtain certificates of authority from the Secretary of State to conduct business in the Commonwealth; amends KRS 271B.1-400 to define the term “appropriate court”; amends KRS 271B.7-400 to enable a corporation to define the “appropriate court” as the proper forum for derivative actions and actions to compel the production of books and records in its articles of incorporation; amends KRS 271B.8-510 to correct technical error in Business Corporation Act and conform the standard of indemnification to the aspiration standard of conduct; amends KRS 271B.11-050 and KRS 271B.11-060 to eliminate the requirement that a plan of merger be filed along with articles of merger; amends KRS 271B.13-020 to clarify the exclusivity of the dissenter rights remedy; establishes KRS Chapter 273A and creates various sections to enact the Uniform Unincorporated Nonprofit Association Act; amends KRS 275.015 to define “foreign nonprofit corporation”; amends KRS 275.285 to exempt nonprofit limited liability companies without members from certain dissolution requirements; amends KRS 275.376 to allow nonprofit corporations to convert into nonprofit limited liability companies subject to certain restrictions; amends KRS 275.520 to limit composition of nonprofit limited liability companies and restrict the disbursement of income or profits of nonprofit limited liability companies; amends KRS 275.525 to prohibit nonprofit limited liability companies from making certain types of loans; creates a new section of KRS Chapter 275 to expressly allow derivative actions under the Kentucky Limited Liability Company Act; amends KRS 273.227 to correct a technical error; amends KRS 275.165 to create the default rule that a member or manager of a limited liability company is not entitled to remuneration for services rendered on behalf of the limited liability company; amends KRS 275.175 to require member approval for certain actions; amends KRS 275.335 to clarify who may cause a limited liability company to bring a legal action; amends KRS 362.605 to clarify how suit is to be brought against a general or limited partnership formed before the adoption of the Kentucky Uniform Partnership or Uniform Limited Partnership Acts; amends KRS 275.360 to simplify filings upon the merger of two or more limited liability companies; amends KRS 275.365 to streamline merger of limited liability companies; amends KRS 362.2-801 to expressly adopt the “merger doctrine” which prevents the same person from being the only general and limited partner in a limited partnership; amends KRS 365.015 to add unincorporated nonprofit associations to the assumed name statute; amends KRS 386A.1-030 to clarify what may be contained in a statutory trust instrument; amends KRS 386A.4-010 to amend the Statutory Trust Act to address a series; amends KRS 369.102 to expand the definition of “person” to include statutory trusts, limited partnerships, and limited cooperative associations; amends KRS 386A.4-020 to correct a typographical error; amends KRS 362.2-935 to provide for reasonable attorneys’ fees for a defendant who proves that a derivative action against a limited partnership was commenced without reasonable cause or for an improper purpose; amends KRS 360.027 to add statutory trusts to anti-usury provision; creates a new section of KRS Chapter 273 to establish how notice is to be given and when notice is effective under KRS Chapter 273; creates a new section of KRS Chapter 273 to permit the board of directors to act by written consent; amends KRS 273.161 to make definitions consistent with existing definitions in KRS 271B.1-400; amends KRS 273.197 to account for new definition of “notice”; amends KRS 273.217 to expressly authorize directors to act by unanimous

written consent and codify current common law rule that directors may not vote by proxy; amends KRS 273.221 to allow only incumbent directors to sit on board committees; amends KRS 273.223 to set default rule for minimum notice of a meeting of the board of directors; amends KRS 273.313 to establish the required elements of an articles of dissolution filing; creates a new section of KRS Chapter 273 to amend the Nonprofit Corporation Act to include the effect of dissolution rule contained in KRS 271B.14-050; creates a new section of KRS Chapter 273 to allow members to meet by electronic means; creates a new section of KRS Chapter 273 to establish definitions consistent with KRS 271B.8-500; creates a new section of KRS Chapter 273 to establish indemnity rules consistent with KRS 271B.8-510 and 271B.8-520; creates a new section of KRS Chapter 273 to allow a corporation to reimburse the reasonable expenses of a director who is a party to a proceeding in advance of final disposition; creates a new section of KRS Chapter 273 to set default rules for director indemnification; creates a new section of KRS Chapter 273 to make indemnification of directors consistent with the provisions of KRS 271B.8-550; creates a new section of KRS Chapter 273 to allow officer or agent indemnification as a default rule; creates a new section of KRS Chapter 273 to allow corporations to purchase liability insurance for directors, officers, employees, or agents; creates a new section of KRS Chapter 273 to clarify that neither indemnification nor advance of expenses are to be deemed exclusive as to other rights guaranteed by law, agreement, or vote of shareholders or disinterested directors; amends KRS 273.377 to set requirements for written consent in lieu of a meeting of the members; amends KRS 275.290 to allow for judicial supervision of a limited liability company's dissolution when the members and managers fail to wind up the limited liability company's activities after a reasonable time; amends KRS 286.3-065 to modify the duties and liabilities of officers and directors of banks and trust companies.

HB 459

AN ACT relating to farm animals.

Amends KRS 247.4015 to add "camelids" and related species to the list of farm animals recognized in farm animal activities, and allow additional farm animal activities and professional services in farm animal activity settings.

HB 465

AN ACT relating to insurance contracting standards for eye health care.

Amends KRS 304.17A-173 to require the same reimbursement to optometrists for the same services rendered by a physician or osteopath, prohibit an insurer from requiring additional terms and conditions for an optometrist that are not required of a physician or osteopath to participate in the provider network for services within the scope of practice of an optometrist, require the same for a health benefit plan, and prohibit an insurer from excluding an optometrist, physician, or osteopath from participation in the health care network if he or she does not participate in a vision care plan licensed under Subtitle 17C of KRS Chapter 304.

HB 510

AN ACT amending the 2014-2016 executive branch and transportation cabinet biennial budgets, making an appropriation therefor, and declaring an emergency.

Amends the 2014-2016 executive branch biennial budget to adjust Phase I Tobacco Settlement provisions, provide \$26,600,000 in fiscal year 2014-2015 to support the enacted General Fund (Tobacco) appropriations, [~~specify that should the MSA payment be less than~~

~~\$73,100,000 and a deficit between the MSA payments and the enacted appropriations still exists after appropriating the \$26,600,000 that the General Fund (Tobacco) appropriation reductions shall be 50 percent to the Agricultural Development Fund and 25 percent to the Early Childhood Development Fund and 25 percent to the Health Care Improvement Fund in fiscal year 2014-2015] (vetoed in accordance with veto message), provide an additional \$23,500,000 in General Fund (Tobacco) appropriations to the Agricultural Development Fund and the Health Care Improvement Fund in fiscal year 2015-2016, add a provision stating that any balances remaining for either closed or open water/sewer project grant agreements authorized in previous budgets shall not lapse and remain to the credit of said projects unless reauthorized and reallocated, add a provision allowing the Department of Education to request up to \$10,000,000 in fiscal year 2014-2015 as a necessary government expense if the enacted General Fund appropriation is not sufficient to fully fund the SEEK Program including adjustments pursuant to KRS 157.360, add a fund transfer of \$63,500,000 from the Public Employee Health Trust Fund to the General Fund in fiscal year 2015-2016 and appropriate it to the Budget Reserve Trust Fund, and add a fund transfer of \$3,000,000 from the Insurance Administration Fund to the General Fund in fiscal year 2014-2015 to support the County Road Aid Program and Municipal Road Aid Program; amends the 2014-2016 transportation cabinet biennial budget to appropriate \$7,800,000 in General Fund moneys in fiscal year 2014-2015 to the Revenue Sharing budget unit which includes \$5,500,000 in fiscal year 2014-2015 for the County Road Aid Program and \$2,300,000 in fiscal year 2014-2015 for the Municipal Road Aid Program; EMERGENCY; VETOED IN PART.~~

HB 512

AN ACT relating to the Tobacco Master Settlement Agreement.

Amends KRS 131.600 to add definitions; amends KRS 131.602 to require nonparticipating manufacturers to post a financial instrument in addition to posting an escrow, require nonparticipating manufacturers to certify compliance, and require importer to be jointly and severally liable with nonparticipating manufacturer for escrow and penalties; amends KRS 131.608 to require nonparticipating manufacturer to disclose any removal or notice of removal from other states' directories; amends KRS 131.610, 131.612, and 131.622 to remove 60-day grace period for retailers holding cigarettes not on the directory; amends KRS 131.614 to require importer to appoint service agent; amends KRS 131.618 to allow the Attorney General to share information with importers for purposes of escrow requirements; amends KRS 131.630 to cap penalties that may be imposed on stamping agent or distributor for violating KRS 131.600 to 131.630; amends KRS 248.754 to correct citation; amends KRS 248.756 to allow Department of Revenue to revoke cigarette wholesalers license for violation of KRS 248.754 and 248.756 and cap the penalty that may be imposed; amends KRS 138.195 to restrict who can obtain a license, allow the Department of Revenue to deny the issuance of a license, allow applicant to have a hearing and protest the denial of the license, require Department of Revenue to develop an electronic system to notify retailers and others when a nonparticipating manufacturer has been issued a notice of intent to remove it from the directory and notify them if a change in that status has occurred bringing the nonparticipating manufacturer into compliance prior to being removed from the directory; amends KRS 131.624, 131.626, 131.628, and 227.774 to conform; repeals KRS 131.604; effective July 1, 2015.

HB 525

AN ACT relating to regulating risk.

Amends KRS 247.233 relating to emergency medical transport where an injury is a result of a failure of an amusement ride or attraction; amends KRS 160.310 as amended by HB 117/EN of the 2015 regular session to delete authority for boards of education to set aside funds to provide for reparation benefits; amends KRS 238.505 as amended by SB 33/EN to make a technical correction to the definition of “electronic video gaming device.”

HB 543

AN ACT relating to surface coal mining.

Amends KRS 350.020 to remove the exemption for local ordinances that regulate surface mining operations and grandfather bonds and permits for companies subjected to coal mining regulations adopted prior to 1988 that were contained in planning and zoning ordinances.

HCR 87

Recognizes the Putting Veterans to Work Initiative.

HCR 89

Creates the Government Nonprofit Contracting Task Force within the Legislative Research Commission to study methods to increase accountability and efficiency in the government contracting process.

HCR 168

Creates the Federal Environmental Regulation Impact Assessment Task Force within the Legislative Research Commission to study the potential effect of federal environmental regulations on the affordability and reliability of electricity generation in the Commonwealth; establishes the membership of the task force; requires the task force to meet at least three times before the submission of its findings and recommendations, requires the task force to submit its findings and recommendations to the Legislative Research Commission by December 31, 2016; allows a majority of members appointed to the task force to vote to recommend to the Legislative Research Commission that an outside entity complete an analysis or study on behalf of the task force; urges the United States Congress to pass legislation to require the United States Environmental Protection Agency to appear before a congressional committee to discuss any proposed rule or regulation and to require the committee’s approval before the rule or regulation can take effect.

HJR 100

Honors the aerospace/aviation products manufacturing industry upon becoming the top exporting industry in the Commonwealth; directs the Transportation Cabinet, Cabinet for Economic Development, and Commission on Military Affairs to study the economic impact of the overall aerospace/aviation industry in the Commonwealth.

HJR 134

Directs the Office of Housing, Buildings and Construction to study the issue of statewide enforcement of the entire Building Code, to include single-family dwellings, study the option of local governments enforcing the Building Code and, should local governments decline that

option, to examine how it would enforce the Code, include the costs of such enforcement, and study the effects of statewide enforcement on relevant stake holders; sets a reporting date for study.

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