

General Assembly Action 2021 Regular Session

Informational Bulletin No. 260



Kentucky Legislative Research Commission

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The Kentucky Legislative Research Commission is a 16-member committee that comprises the majority and minority leadership of the Kentucky Senate and House of Representatives. Under Chapter 7 of the Kentucky Revised Statutes, the Commission constitutes the administrative office for the Kentucky General Assembly. Its director serves as chief administrative officer of the legislature when it is not in session. The Commission and its staff, by law and by practice, perform numerous fact-finding and service functions for members of the General Assembly. The Commission provides professional, clerical, and other employees required by legislators when the General Assembly is in session and during the interim period between sessions. These employees, in turn, assist committees and individual members in preparing legislation. Other services include conducting studies and investigations, organizing and staffing committee meetings and public hearings, maintaining official legislative records and other reference materials, furnishing information about the legislature to the public, compiling and publishing administrative regulations, administering a legislative intern program, conducting a pre-session orientation conference for legislators, and publishing a daily index of legislative activity during sessions of the General Assembly.

The Commission also is responsible for statute revision; publication and distribution of the *Acts* and *Journals* following sessions of the General Assembly; and maintenance of furnishings, equipment, and supplies for the legislature.

The Commission functions as Kentucky's Commission on Interstate Cooperation in carrying out the program of The Council of State Governments as it relates to Kentucky.

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A Staff Summary Of Legislative Enactments

Informational Bulletin No. 260

Legislative Research Commission

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April 2021

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Foreword

The 2021 Regular Session of the General Assembly convened Tuesday, January 5, 2021, and adjourned *sine die* Tuesday, March 30, 2021, having met for 30 legislative days.

During the 2021 Regular Session, the General Assembly took the following actions:

- A total of 880 bills and 349 resolutions were introduced, including 285 Senate bills and 595 House bills.
- Of the bills and resolutions introduced, 83 Senate bills, 118 House bills, and 5 joint and concurrent resolutions passed both chambers and were delivered to the Governor.
- The Governor vetoed 15 Senate bills, 15 House bills, and 1 House joint resolution, and exercised his line-item veto authority in 8 additional House bills.
- The General Assembly overrode the vetoes of 13 Senate bills, 13 House bills, and 1 House joint resolution.
- The General Assembly overrode in part the line-item vetoes of two House bills.
- The General Assembly overrode in full the line-item vetoes of two House bills.
- A total of 81 Senate bills, 119 House bills, and 3 joint resolutions became law.
- Two concurrent resolutions expressed the will of the General Assembly.
- Two bills with constitutional amendments were delivered to the Secretary of State.

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

Jay D. Hartz
Director

Legislative Research Commission
Frankfort, Kentucky
April 2021

Bill Numbers To Acts Chapters

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 1	6	SB 93	150	HB 1	3	HB 192	169
SB 2	7	SB 99	183	HB 2	4	HB 193	198
SB 3	12	SB 101	40	HB 3	2	HB 194	118
SB 4	202	SB 102	101	HB 4	27	HB 195	170
SB 5	205	SB 105	166	HB 5	5	HB 196	17
SB 6	129	SB 120	8	HB 6	14	HB 199	148
SB 7	16	SB 127	112	HB 7	77	HB 202	119
SB 8	147	SB 128	108	HB 8	83	HB 206	19
SB 9	1	SB 129	79	HB 9	102	HB 207	120
SB 10	146	SB 131	190	HB 38	46	HB 208	9
SB 11	164	SB 133	100	HB 44	114	HB 209	33
SB 12	49	SB 135	39	HB 48	30	HB 210	76
SB 15	34	SB 140	138	HB 50	15	HB 212	121
SB 16	130	SB 141	25	HB 53	11	HB 219	56
SB 21	32	SB 146	184	HB 69	64	HB 220	23
SB 29	131	SB 147	109	HB 73	18	HB 226	200
SB 32	132	SB 148	172	HB 75	55	HB 229	50
SB 36	195	SB 154	59	HB 79	29	HB 230	122
SB 38	57	SB 161	110	HB 84	31	HB 231	155
SB 44	133	SB 162	185	HB 87	96	HB 236	84
SB 45	134	SB 163	63	HB 91	174	HB 238	54
SB 47	45	SB 165	151	HB 95	75	HB 249	156
SB 49	153	SB 166	107	HB 98	115	HB 250	36
SB 51	201	SB 168	26	HB 105	86	HB 254	87
SB 52	135	SB 169	106	HB 108	10	HB 258	157
SB 55	62	SB 171	152	HB 109	94	HB 261	189
SB 61	72	SB 172	105	HB 113	192	HB 265	37
SB 62	136	SB 214	28	HB 120	116	HB 272	158
SB 64	88	SB 215	186	HB 125	188	HB 273	78
SB 65	165	SB 221	99	HB 126	66	HB 275	159
SB 66	90	SB 227	139	HB 133	149	HB 276	58
SB 67	20	SB 228	154	HB 140	67	HB 277	65
SB 68	35	SB 231	140	HB 155	117	HB 278	22
SB 71	74	SB 236	53	HB 158	38	HB 303	80
SB 72	93	SB 251	173	HB 163	187	HB 307	123
SB 74	52	SB 255	141	HB 172	21	HB 310	175
SB 79	111	SB 257	142	HB 176	98	HB 312	160
SB 80	73	SB 267	199	HB 178	178	HB 320	171
SB 84	85	SB 270	204	HB 179	48	HB 321	203
SB 86	137	SB 274	145	HB 183	60	HB 325	68
SB 88	41	SJR 59	193	HB 190	42	HB 328	44

Bill No.	Acts Ch.
HB 331	144
HB 349	124
HB 363	69
HB 370	92
HB 382	196
HB 386	103
HB 389	179
HB 392	91
HB 393	43
HB 394	161
HB 398	95

Bill No.	Acts Ch.
HB 402	51
HB 404	47
HB 405	176
HB 413	177
HB 415	13
HB 419	70
HB 421	81
HB 427	113
HB 429	125
HB 435	71
HB 438	97

Bill No.	Acts Ch.
HB 439	126
HB 448	61
HB 465	191
HB 472	89
HB 475	162
HB 492	180
HB 495	82
HB 497	182
HB 509	24
HB 513	127
HB 518	163

Bill No.	Acts Ch.
HB 542	143
HB 556	194
HB 563	167
HB 574	197
HCR 25	104
HCR 81	181
HJR 57	128
HJR 77	168

Senate Bills

SB 1

AN ACT relating to emergencies and declaring an emergency.

Amends KRS 39A.020 to redefine “emergency”; amends KRS 39A.090 to require certain emergency executive orders to end after 30 days unless the General Assembly approves an extension; for all other executive orders, allows local governments to request an extension of the 30-day limit; prohibits the Governor from declaring an additional similar emergency order upon the expiration of the first order; waives prospective equitable and declaratory relief immunity under the Eleventh Amendment to the United States Constitution for cases under KRS 446.350 during emergencies; amends KRS 39A.090 to impose a 30-day limit on emergency executive orders, administrative regulations, or other directives issued by the Governor that affect local governments; amends KRS 39A.100 to affirm that governmental entities may not impose restrictions on peaceable assembly or worship; exempts emergency orders moving the election from the 30-day limitation, and limits changes to time or place; requires the Governor to report to the General Assembly or the Legislative Research Commission expenditures relating to contracts issued during the emergency and all revenues received from the federal government in response to the emergency; ensures that, in an emergency, the taking of property by the Governor can be only for the duration of the emergency and only for public use and that the taking of goods can be only during a shortage of goods, and includes certain freedoms in the restrictions the Governor may impose under the emergency; amends KRS 39A.180 to require administrative regulations under the emergency to follow the requirements of KRS Chapter 13A, and provides specific requirements for suspending a statute and promulgating administrative regulations under a declared emergency; amends KRS 39A.280 to extend liability protection for architects and engineers for work performed during an emergency without compensation to 90 days from the end of the last extension of the declaration of emergency; amends KRS 39A.990 to change the penalty for violating provisions of KRS Chapter 39A from a Class A misdemeanor to not more than a \$100 fine for the first offense and not more than a \$250 fine for subsequent offenses; amends KRS 241.090 to limit the jurisdiction and police powers of state administrators and investigators during an emergency; amends KRS 315.500 to specify that the Governor’s ability to authorize an emergency supply of medicine is not subject to the 30-day emergency executive order limitation; and amends KRS 367.374 to specify that the Governor’s ability to prohibit price gouging during an emergency is not subject to the 30-day emergency executive order limitation; EMERGENCY; VETOED; OVERRIDDEN.

SB 2

AN ACT relating to administrative regulations and declaring an emergency.

Amends KRS 13A.010 to define “legislative committee”; amends KRS 13A.030 to include emergency administrative regulations without adequate justification in the list of administrative regulations that may be found deficient and to include in causes of deficiency a failure to provide notice as required in subsection (3) of Section 9 of the Act; amends KRS 13A.190 to specify requirements for an emergency administrative regulation, provide for public comment and legislative review, and specify submission requirements for documentary evidence; amends KRS 13A.220 to require specified information about an administrative regulation to be displayed on the agency Web site; amends KRS 13A.2251 and 13A.2255 to require material incorporated by reference to be displayed on the agency Web site; amends KRS 13A.270 to include public hearings

and written comment periods for emergency administrative regulations; amends KRS 13A.280 to include amending an emergency regulation at a legislative committee meeting; amends KRS 13A.300 to allow a legislative committee to find an emergency regulation deficient if no representation from the administrative body appears; amends KRS 13A.310 to allow an emergency regulation to be withdrawn under certain conditions; amends KRS 13A.312 to stipulate that transfers of authority or name changes of administrative bodies by executive order during an interim period shall be returned to their previous forms if not codified or confirmed during the next regular session of the General Assembly; amends KRS 13A.330 to describe the process to be followed after an emergency administrative regulation is found deficient; amends KRS 214.020 to require administrative regulations promulgated under the section to be in effect no longer than 30 days if imposing restrictions on gatherings or imposing mandatory quarantine or isolation requirements, including local government meetings, includes penalty, appeal, and due process information, and contains public hearing and written comment periods; amends KRS 214.990 to include violations of KRS Chapter 13A; and amends KRS 13A.040, 13A.250, 13A.290, 13A.300, 13A.310, 13A.315, 13A.320, 13A.330, 13A.331, 13A.335, 13A.336, and 13A.338 to conform; EMERGENCY; VETOED; OVERRIDDEN.

SB 3

AN ACT relating to reorganization and declaring an emergency.

Amends KRS 12.020 to attach the Agricultural Development Board and the Kentucky Agricultural Finance Corporation to the Department of Agriculture; amends KRS 12.023 to remove the Agricultural Development Board and the Kentucky Agricultural Finance Corporation from the Office of the Governor; abolishes the Kentucky Council on Agriculture; abolishes the Kentucky Tobacco Settlement Trust Corporation; amends KRS 18A.115 to exempt employees of the Agricultural Development Board and the Kentucky Agricultural Finance Corporation from classified service; amends KRS 246.030 to establish the Kentucky Office of Agricultural Policy; amends KRS 247.944 to attach the Kentucky Agricultural Finance Corporation to the Department of Agriculture, authorize the Commissioner of Agriculture to appoint the members of the board of directors, make member appointments subject to confirmation as provided in KRS 11.160(2), and allow the Department of Agriculture to provide staff services for the board of directors; exempts the Kentucky Agricultural Finance Corporation from reorganization under KRS Chapter 12; amends KRS 248.707 to designate the Commissioner of Agriculture to serve as chair of the Agricultural Development Board, authorize the Commissioner of Agriculture to appoint members of the Agricultural Development Board, attach the Agricultural Development Board to the Department of Agriculture, allow the Department of Agriculture to provide staff services for the board, and exempt the Agricultural Development Board from reorganization under KRS Chapter 12; amends KRS 248.709 to require the board to update the comprehensive plan no less than every 10 years, and specify hiring of an executive director; transfers affairs associated with the Governor's Office of Agricultural Policy, the Agricultural Development Board, and the Kentucky Agricultural Finance Corporation to the Department of Agriculture; authorizes the Commissioner of Agriculture to approve projects or programs to be funded by the Agricultural Development Board, and to approve actions of the Kentucky Agricultural Finance Corporation; directs board members of the Agricultural Development Board and Kentucky Agricultural Finance Corporation to serve terms as set forth; amends KRS 11.400, 42.016, 248.713, and 260.860 to conform; and repeals KRS 247.410 relating to definitions, KRS 247.413 relating to creation of council, KRS 247.417 relating to members of council, KRS 247.420 relating to duties and powers

of council, KRS 247.421 relating to Agricultural Export Authority, KRS 247.423 relating to steering committee, KRS 247.430 relating to funds, and KRS 248.480 relating to the Kentucky Tobacco Settlement Trust Corporation; EMERGENCY; VETOED; OVERRIDDEN.

SB 4

AN ACT relating to warrants authorizing entry without notice.

Creates new sections of KRS Chapter 455 to create procedures and requirements for issuance of warrants authorizing entry without notice; requires judges to review applications for warrants impartially; requires service by SWAT or special response teams with special training; in counties under 90,000, allows officers without specialized training and not part of a SWAT team to execute no-knock warrants if exigent circumstances exist and officers meeting the requirements are not available; in counties under 90,000, allows use of recording devices other than body-worn cameras; requires all law enforcement officers executing a no-knock warrant to be clearly identifiable as law enforcement officers; requires the presence of a paramedic or emergency medical technician when executing a no-knock warrant; amends KRS 523.020 to make clear that an officer's false statement in an application for a warrant authorizing entry without notice constitutes perjury; and proposes a rule of evidence making inadmissible any evidence collected as the result of a warrant authorizing entry without notice which did not comply with statutes or which was obtained through perjury or false statements.

SB 5

AN ACT relating to emergencies and declaring an emergency.

Creates a new section of KRS Chapter 39A to provide liability protection for owners of premises during a declared emergency; sets the time limit within which a claim for personal injury must be brought, specifies the liability for essential service providers, and defines "essential service"; amends KRS 39A.020 to define "declared emergency," "disaster," and "executive action"; amends KRS 39A.280 to refine the immunity of the state, private persons, volunteers, professional engineers and architects, and persons providing essential services during an emergency; provides definitions for additional terms including "arising from COVID-19," "COVID-19," and "COVID-19 claim"; designates those businesses and providers deemed agents of the Commonwealth; amends KRS 39A.070 and 39A.090 to conform; and repeals Section 1 effective December 31, 2023; EFFECTIVE MARCH 6, 2020, for Section 1 of the Act; EMERGENCY.

SB 6

AN ACT relating to executive branch ethics.

Creates a new section of KRS Chapter 11A to define "agency," "nonpublic information," "transition team," and "transition team member"; authorizes persons elected to statewide office to form transition teams; requires the Executive Branch Ethics Commission to establish by administrative regulation standards of ethical conduct for transition team members, including addressing the role of transition team members who are or were registered lobbyists, and to make the standards available to the public on its Web site; requires persons designated as transition team leaders to provide a list of all transition team members and to keep those lists up to date; requires transition team members to seek authorization for access to nonpublic information, keep nonpublic information confidential, and not use nonpublic information for personal or private gain; prohibits transition team members from receiving nonpublic information regarding matters that financially

impact them; requires transition team members to disclose their current employers, businesses in which they have an interest, and positions held outside state government for the 12 months prior to transition team service; requires transition team members to disclose whether they have sought or received contracts with state government; requires affirmation that transition team members will not seek any contracts with any state agency from which they received nonpublic information during the tenure of the administration; requires transition team members to report acceptance of any gifts from interested parties exceeding \$25 in value; requires transition team members to provide descriptions of their role on the transition team, a list of issues on which they are working, a list of issues from which they will be recused while serving on the transition teams, and an affirmation that no financial conflict of interest precludes transition team members from working on certain issues; and amends KRS 11A.050 to require candidates elected to statewide office to file statements of financial disclosure with the Executive Branch Ethics Commission for the calendar year of the election within 10 days of taking office.

SB 7

AN ACT relating to unemployment insurance benefits, making an appropriation therefor, and declaring an emergency.

Creates new sections of KRS Chapter 341 to set waiver of unemployment benefit overpayment criteria; extends waiver application deadlines; requires program integrity provisions for the unemployment insurance program; includes new repayment elements for CARES money as required by the federal government; requires the Kentucky Office of Unemployment Insurance to provide the Office of the Attorney General with records for investigations by that office; and requires an annual report to the Legislative Research Commission no later than October 1 of each year; APPROPRIATION; EMERGENCY.

SB 8

AN ACT relating to exceptions to mandatory immunization requirements and declaring an emergency.

Amends KRS 214.036 to provide exemptions from mandatory immunization for any child, emancipated minor, or adult who, personally or by a parent or guardian, submits a written sworn statement objecting to the immunization based on religious grounds; prohibits any administrative regulation, administrative order, or executive order during an epidemic from requiring the immunization of persons who submit either a written sworn statement objecting to the immunization based on conscientiously held beliefs or the written opinion of the person's health care provider that such immunization would be injurious to the person's health; and requires the Cabinet for Health and Family Services to develop and make available on its Web site a standardized form relating to the exemptions from mandatory immunization and to accept the form after it is submitted; EMERGENCY.

SB 9

AN ACT relating to the protection of born-alive infants and declaring an emergency.

Creates new sections of KRS Chapter 311 to prohibit a person from denying or depriving a born-alive infant from nourishment with the intent to cause or allow the death of the infant; prohibits a person from denying or depriving a born-alive infant of medically appropriate and reasonable medical care, medical treatment, or surgical care; requires a physician performing an abortion to take all medically appropriate and reasonable steps to preserve the life and health of a

born-alive infant; specifies that, if the physician is unable to perform these duties, then an attending physician assistant, advance practice registered nurse, nurse, or other health care worker shall assume the duties; provides that a born-alive infant shall be treated as a legal person for voluntary termination of parental rights, and shall become a ward of the Cabinet for Health and Family Services; specifies that this Act shall not be construed as preventing a born-alive infant's parent or guardian from refusing medical care that is not medically appropriate or reasonable; specifies that the parent or guardian of a born-alive infant shall not be held criminally or civilly liable for the actions of a physician, physician assistant, advanced practice registered nurse, or other health care provider that acted without his or her consent; provides for civil and administrative penalties for violations of this Act; allows for severability; allows the General Assembly by joint resolution to appoint members to intervene as a matter of right in any case that challenges the constitutionality of this Act; amends KRS 311.595, 314.091, 314.850, and 315.121 to suspend or revoke the license of any physician, physician assistant, advanced practice registered nurse, nurse, or pharmacist who violates this Act; amends KRS 311.990 to establish criminal penalties for violations; and establishes the short titles of "Born-Alive Infant Protection Act" and "Avacyn Act"; EMERGENCY.

SB 10

AN ACT relating to the creation of a Commission on Race and Access to Opportunity.

Creates a new section of KRS Chapter 7 to establish a Commission on Race and Access to Opportunity; defines "commission"; sets forth the membership of the commission; sets forth the purpose of the commission to include research and relevant studies on the areas of child welfare, juvenile justice, and any other sectors deemed relevant by the commission; authorizes the authority to hold monthly meetings, seek comment and testimony, and provide research-driven policy proposals; and requires the commission to publish an annual report.

SB 11

AN ACT relating to criminal damage to rental property.

Amends KRS 512.010 to create definitions of "lease or rental agreement," "residential rental property," and "tenant"; and amends KRS 512.020, 512.030, and 512.040 to specifically include damage to residential rental property in the crime of criminal mischief; VETOED; OVERRIDDEN.

SB 12

AN ACT relating to the procurement of human tissue.

Amends KRS 311.1939 to prohibit a person from knowingly purchasing, selling, transferring, or offering to purchase, sell, or transfer an organ, an eye, or tissue of a human being for transplantation or therapy; and prohibits for-profit entities from procuring any human eye, cornea, eye tissue, corneal tissue, or portions of eyes; and permits a nonprofit entity to charge a reasonable amount for the removal, processing, preservation, quality control, storage, transportation, implantation, or disposal of an organ, an eye, or tissue of a human being.

SB 15

AN ACT relating to microbreweries.

Amends KRS 243.157 to allow a microbrewer to sell and deliver up to 2,500 barrels of product to any retail licensee and to require a microbrewer to report self-distribution to the

distributor; creates a new section of KRS Chapter 244 to set forth terms of contracts between microbrewers and distributors; adds requirement for a microbrewer to pay fair market value to a distributor upon cancellation; adds requirement for a microbrewer to buy back its saleable products that a distributor returns upon cancellation; requires arbitration if fair market value cannot be determined; and provides severability clause.

SB 16

AN ACT relating to colon cancer screening and prevention and making an appropriation therefor.

Creates a new section of KRS Chapter 205 to require the Department for Medicaid Services to present statistics on cancer services related to colorectal cancer among Medicaid recipients annually and upon request; amends KRS 214.540 and 214.543 to change the title of the Colon Cancer Screening Program to the Colon Cancer Screening and Prevention Program; requires that funds from sales of special colon cancer license plates be distributed to the Kentucky Colon Cancer Screening and Prevention Program fund for the sole purpose of the program; and adds members to the Colon Cancer Screening and Prevention Advisory Committee; APPROPRIATION.

SB 21

AN ACT relating to mental health treatment.

Amends KRS 202A.021 to permit voluntary transport to a hospital or psychiatric facility with authorization of the originating and receiving hospital or facility and a patient's signed written agreement to be voluntarily transported and to not be physically removed during transport; amends KRS 214.185 to establish that any qualified mental health professional may provide outpatient mental health counseling to any child who is age 16 or older and is an unaccompanied youth; amends KRS 645.030 to permit voluntary transport of a child to a hospital or psychiatric facility with authorization of the originating and receiving hospital or facility and a parent if the child is under age 16 and with a signed written agreement to be voluntarily transported and to not be physically removed during transport; permits voluntary transport of a child age who is age 16 or older to a hospital or psychiatric facility with authorization of the originating and receiving hospital or facility if the child is 16 or over and with a signed written agreement to be voluntarily transported and to not be physically removed during transport; and amends KRS 645.190 to conform.

SB 29

AN ACT relating to indemnification of prosecutors.

Amends KRS 15.753 to provide that the Finance and Administration Cabinet shall reimburse the Attorney General, a Commonwealth's attorney, or a county attorney for fees or judgments, including reasonable attorney's fees, incurred as a result of being sued for an act or omission committed within the scope and course of his or her employment.

SB 32

AN ACT relating to children.

Amends KRS 403.270 to specify that the existing time periods required to be considered a de facto custodian be calculated in aggregate within the last 2 years; amends KRS 635.020 to remove the automatic transfer of a child from District Court to Circuit Court in certain cases; and

amends KRS 640.010 to specify additional factors to be considered when determining whether a child's case should be transferred from District Court to Circuit Court.

SB 36

AN ACT providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky, making an appropriation therefor, and declaring an emergency.

Appropriates \$250,000,000 in Federal Funds in fiscal year 2021-2022 from the American Rescue Plan Act to the Kentucky Infrastructure Authority for the Drinking Water and Wastewater Grant Program; sets out allocation method; and provides for Substance Abuse, Mental Health, and Reentry Service Centers in fiscal year 2021-2022; APPROPRIATION; EMERGENCY.

SB 38

AN ACT relating to surgical smoke evacuation.

Creates a new section of KRS Chapter 216B to define terms; directs the Cabinet for Health and Family Services to promulgate administrative regulations to require the use of a smoke evacuation system during any surgical procedure that is likely to produce surgical smoke; and amends KRS 216B.990 to establish penalties.

SB 44

AN ACT relating to access to health care.

Creates a new section of Subtitle 17A, KRS Chapter 304 to require health benefit plans to accept, and to count toward the insured's contributions, premium and cost-sharing payments made on behalf of an insured from certain persons; permits insurers to accept, and to count toward the insured's contributions, premium and cost-sharing payments made on behalf of an insured from other persons; provides exceptions for Health Savings Account-qualified High Deductible Health Plans; and amends KRS 214.555 to extend the time to provide patients information about X-ray mammography; EFFECTIVE, in part, January 1, 2022.

SB 45

AN ACT relating to prescription drugs.

Amends KRS 304.17A-164 to revise the definition of "cost sharing"; defines "generic alternative," "health plan," "insured," and "person"; prohibits an insurer or pharmacy benefit manager from excluding any cost-sharing amount paid by or on behalf of an insured for prescription drugs when calculating the insured's contributions toward any applicable cost-sharing requirements; and exempts fully insured or self-insured health benefit plans provided to state employees pursuant to KRS 18A.225; EFFECTIVE January 1, 2022.

SB 47

AN ACT relating to audiology and speech-language pathology.

Creates a new section of KRS Chapter 334A.010 to enact and enter into the Audiology and Speech-Language Pathology Interstate Compact with all other jurisdictions that legally join in the compact; declares the purpose of the compact; establishes definitions; recognizes a multistate licensure privilege to practice for audiologists and speech-language pathologists; recognizes a multistate licensure privilege for audiologists and speech-language pathologists to practice audiology and speech-language pathology via telehealth; establishes provisions for active-duty

military personnel and their spouses; authorizes a remote member state to take adverse action against an audiologist or speech-language pathologist's privilege to practice within that state; authorizes a home state to take adverse action against an audiologist's or speech-language pathologist's license issued by the home state; creates the Audiology and Speech-Language Pathology Compact Commission; provides immunity for party states, officers, employees, or representatives of the commission who act in accordance with the compact; requires the commission to create a database and reporting system containing licensure, adverse actions, and investigative information on all licensed individuals in member states; establishes procedures for rulemaking; authorizes the commission to attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states; requires provisions of the compact to become effective the day it is enacted into law once a state enters the compact; provides for severability for any provision in the compact that is contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance; requires the privilege to practice audiology and speech-language pathology in any member state by a licensee to be suspended if he or she changes residences from a member state to a state that is not a part of the compact; allows a member state to recover the costs of investigations and disposition of cases resulting from adverse action taken against an audiologist or speech-language pathologist; requires the administrator of the data system to make notification of any adverse action to any remote states where the licensee has the privilege to practice; prohibits the commission from changing laws that define the practice of audiology and speech-language pathology of a member state; if not a closed meeting, requires all minutes, documents, and recordings of meetings to be made available to members of the public upon request at the requestor's expense; and gives the board 60 days to review a rule adopted by the commission for the purpose of filing the rule as an emergency administrative regulation.

SB 48

AN ACT relating to personal information.

Creates a new section of KRS 61.870 to 61.884 exempting personally identifiable information of judges, prosecutors, and law enforcement officers from the Open Records Act; amends KRS 61.870 to define "public officer"; and amends KRS 61.878 to exempt records that would reveal the address or location of a public officer under certain conditions; VETOED.

SB 49

AN ACT relating to home and community based services waiver providers.

Amends KRS 337.010 to exclude providers of certain home or community based services from the definition of "employee" in regard to payment of wages; amends KRS 341.055 to exclude certain home or community based services from "covered employment" in regard to unemployment compensation; and amends KRS 342.650 to exempt certain home or community based services from coverage in regard to workers' compensation; VETOED; OVERRIDDEN.

SB 51

AN ACT relating to addiction treatment.

Amends KRS 205.522 to require Medicaid managed care organizations to comply with reporting requirements; amends KRS 205.536 to prohibit the Department for Medicaid Services or a Medicaid managed care organization from requiring or using certain utilization reviews for certain prescription drugs used to treat alcohol or opioid use disorder; creates a new section of

KRS Chapter 222 to require a treating facility to submit a written discharge plan to the patient and the patient's third-party payor; requires the Cabinet for Health and Family Services or the Department for Medicaid Services to apply for a waiver or authorization and report to the co-chairs and Interim Joint Committee on Health, Welfare, and Family services if certain conditions are met; creates a new section of Subtitle 17A of KRS Chapter 304 to require insurers to report the number and type of providers prescribing medication for addiction treatment in conjunction with and not in conjunction with behavioral therapy; requires the Department of Insurance to report to the General Assembly, State Board of Medical Licensure, and Kentucky Board of Nursing; and amends KRS 304.17A-611 to prohibit insurers from requiring or using certain utilization reviews for certain prescription drugs used to treat alcohol or opioid use disorder; EFFECTIVE in part January 1, 2022.

SB 52

AN ACT relating to sexual offenses by peace officers.

Amends KRS 510.060, regarding rape in the third degree, to include a peace officer who, while serving in an official capacity, subjects a person in custody, under arrest, or under investigation for a criminal or traffic offense to sexual intercourse; amends KRS 510.090, regarding sodomy in the third degree, to include a peace officer who, while serving in an official capacity, subjects a person in custody, under arrest, or under investigation for a criminal or traffic offense to deviate sexual intercourse; and amends KRS 510.120, regarding sexual abuse in the second degree, to include a peace officer who, while serving in an official capacity, subjects a person in custody, under arrest, or under investigation for a criminal or traffic offense to sexual contact.

SB 55

AN ACT relating to copayments by medical assistance recipients.

Amends KRS 205.6312 to prohibit the Cabinet for Health and Family Services, or a managed care organization contracted by the cabinet to provide Medicaid services, from instituting copayments, cost sharing, or similar charges for Medicaid services; and amends KRS 205.5591 and 205.6485 to conform.

SB 61

AN ACT relating to direct-care staff.

Creates a new section of KRS 216.710 to 216.716 to require direct-care staff who provide care within a client's home for a client with Alzheimer's disease or another form of dementia to receive initial and ongoing training that is approved by the Cabinet for Health and Family Services; requires facilities or programs to provide cabinet-approved training and certificates of completion to direct-care staff who work with clients with Alzheimer's disease or another form of dementia; establishes a penalty for violations; requires the Cabinet for Health and Family Services to promulgate administrative regulations to implement, monitor, and enforce the requirements of this section and to establish standards for approved trainings; amends KRS 216.710 to establish definitions for "direct-care staff member," "facilities or programs," and "recipient"; creates a new section of KRS 216.935 to 216.939 to require direct-care staff who provide care within a client's home for a client with Alzheimer's disease or another form of dementia to receive initial and ongoing training that is approved by the Cabinet for Health and Family Services; requires facilities or programs to provide cabinet-approved training and certificates of completion to direct-care staff

who work with clients with Alzheimer’s disease or another form of dementia; establishes a penalty for violations; and requires the Cabinet for Health and Family Services to promulgate administrative regulations to implement, monitor, and enforce the requirements of this section and to establish standards for approved trainings; and amends KRS 216.935 to establish definitions for “direct-care staff member,” “facilities or programs,” and “recipient.”

SB 62

AN ACT relating to commercial quadricycles.

Amends KRS 241.010 to remove the word “exclusively” from the definition of “commercial quadricycle”; adds an allowance for the usage of an electrical assist system only when traveling to or from storage; and specifies that a commercial quadricycle is not a motor vehicle as defined KRS 186.010 or 189.010.

SB 63

AN ACT relating to elections.

Amends KRS 117.035 to move the appointment of members of the county board of elections to the year after the presidential election, beginning in 2027, and to reduce the number of names required to be submitted by the county executive committee of each political party for appointment to a county board of elections from five to one; amends KRS 117.125 and 117.381 to ensure that no voting system, voting machine, or software or hardware component any of voting system, shall be capable of establishing a wireless connection or a connection to any external network with over-the-air interfaces; ensures that every voting machine or voting system be capable of producing a paper record with a manual audit capacity for an official recount of the votes cast; amends KRS 118.025 to provide that voting in all primaries and elections shall be by secret paper ballot, marked in pen by the voter; and allows for any county or precinct that contains any voting machines or voting systems that have been certified by the State Board of Elections but are not in compliance with this Act to use those machines or systems until they are replaced by machines or systems certified by the State Board of Elections and in compliance with the requirements of this Act; VETOED.

SB 64

AN ACT relating to crimes and punishments.

Amends KRS 510.010 to define “adult intermediary” and “registrant”; and amends KRS 510.155 to include communications with adult intermediaries for minors and provides enhanced penalties if the minor or perceived minor is under 12 years old, the offender is a registered sex offender, or a person travels into the Commonwealth for the purpose of procuring or promoting the use of a minor.

SB 65

AN ACT relating to deficient administrative regulations.

Creates a new section of KRS Chapter 13A to nullify administrative regulations that became effective after being found deficient during the 2020 legislative interim; VETOED; OVERRIDDEN.

SB 66

AN ACT relating to youth camps.

Creates a new section of KRS Chapter 194A to establish requirements of local government youth day camps; amends KRS 194A.380 to establish definitions of “local government,” “local government youth day camp,” and “staff member”; amends KRS 194A.382 to create employment and background check standards for a staff member working or volunteering at a youth camp or at a local government youth day camp; and amends KRS 194A.383 related to violations of employment requirements of a staff member working or volunteering at a youth camp or at a local government youth day camp.

SB 67

AN ACT relating to alcoholic beverage sales, and declaring an emergency.

Creates a new section of KRS Chapter 243 to allow alcohol to be purchased to go or for delivery in conjunction with a meal, sets conditions, and allows the department to promulgate administrative regulations; amends KRS 243.034 to allow limited restaurant licensees to sell alcohol for delivery or to go in conjunction with a meal; amends KRS 243.084 to allow nonquota type 2 licensees to sell alcohol for delivery or to go in conjunction with a meal; amends KRS 243.155 to allow small farm winery licensees to sell alcohol for delivery or to go in conjunction with a meal; and amends KRS 243.250 to allow quota retail drink licensees to sell alcohol for delivery or to go in conjunction with a meal; EMERGENCY.

SB 68

AN ACT relating to the manufacturing of distilled spirits.

Amends KRS 243.120 to require a licensee holding a distiller’s license, Class A license, or Class B license to distill no less than 600 gallons in 1 year at the distillery’s licensed premises, and exempts licensees that train, educate, conduct research, or teach about the distilling process, aging, or bottling of distilled spirits from the minimum distilling production requirements in KRS Chapter 243, so long as the licensee does not produce spirits for sale to the general public.

SB 71

AN ACT relating to motor vehicles.

Amends KRS 186A.145 to outline responsibility of motor vehicle ad valorem property taxes, when a vehicle is transferred to an insurer or its agent as a result of an insurance policy claim; allows the county clerk to process the title of a vehicle, when the owner or lienholder fails to exercise their right to take possession of the vehicle under this Act; creates a new section of KRS Chapter 281 to define “lienholder,” “motor vehicle renting company,” and “owner”; creates new sections of KRS Chapter 281 to establish the provisions for emergency towing and private property towing; requires that rates be posted in the place of business of a tow company or storage facility; requires an itemized invoice for towing and storage charges; establishes notification requirements for towed vehicles; establishes payment and release requirements for towed vehicles; outlines payment types that a towing company or storage facility must accept; requires a towing company or storage facility to be accessible by phone during posted business hours; requires the return of all phone calls within 24 hours; establishes prohibited fees; establishes requirements for records retention; outlines the acts prohibited by a towing company or storage facility; creates a new section of KRS Chapter 281 to specify that the Transportation Cabinet shall be held harmless for any damages in relation to the towing and storage of a vehicle; amends KRS 281.010 to define

“automobile club,” “flatbed/rollback service,” “recovery,” “storage facility,” “tow truck,” “tow truck operator,” “towing,” and “towing company”; amends KRS 376.275 to establish requirements for certified mail notifications to lienholders having a prior recorded lien on a Commonwealth-issued title; outlines what a towing company may do with the contents of a towed vehicle that has not been claimed after 45 days; outlines the procedures for a tow or storage company to obtain a clean title, if an owner or lienholder fails to exercise the right to take possession of a towed vehicle; and amends KRS 189.725 and 359.230 to conform.

SB 72

AN ACT relating to the Revised Uniform Fiduciary Access to Digital Assets Act.

Amends KRS 395A.060, relating to the procedure for disclosing digital assets, to establish that a custodian can assess a reasonable administrative charge except in cases where the user would have had access to the digital assets free of charge or for no additional charge.

SB 74

AN ACT related to dementia services.

Amends KRS 194A.600 to rename the Office on Alzheimer’s Disease and Related Disorders to the Office of Dementia Services; amends KRS 194A.601 related to the duties and functions of the Office of Dementia Services; and amends KRS 194A.603 related to the membership and duties of the Alzheimer’s Disease and Related Disorders Advisory Council.

SB 79

AN ACT relating to the Kentucky Public Employees Deferred Compensation Authority plans.

Repeals, reenacts, and amends KRS 18A.245 and repeals and reenacts KRS 18A.262 to establish conflict of interest provisions for trustees of the Kentucky Public Employees’ Deferred Compensation Authority; amends KRS 18A.230 and 18A.255 to define “financial planning” and include it in the guidance and advice provided to participants; authorizes the promulgation of administrative regulations for the provision of financial planning to participants; amends KRS 18A.250 to auto-enroll new members of the General Assembly and new justices and judges of the Kentucky courts elected or appointed to office on or after July 1, 2021, in the deferred compensation 401(k) plan; directs that \$30 per month be deducted from the compensation of new members, justices, and judges auto-enrolled and contributed as a pretax deferral to the 401(k) plan, unless the enrollee opts out or changes the deferral; exempts from auto-enrollment members, justices, or judges who are already enrolled in the 401(k) plan and special judges; provides that the employer shall determine the full-time status and eligibility of any new employee for the purpose of auto-enrollment; and authorizes the promulgation of administrative regulations for auto-enrollment.

SB 80

AN ACT relating to peace officers.

Creates a new section of KRS Chapter 15 to allow law enforcement agencies to make an offer of conditional employment pending an investigation into the applicant’s certification status and former employment conduct; creates a new section of KRS Chapter 15 to require the Kentucky Law Enforcement Council to provide information on an officer’s certification status to an out-of-state law enforcement agency; amends KRS 15.382 to require that peace officers qualified for

basic training credit meet minimum qualifications; amends KRS 15.386, 15.388, and 15.400 to establish the procedure for certification reporting of peace officers who have certain law enforcement experience; amends KRS 15.391 to revise the definition of “professional malfeasance” and “professional nonfeasance”; adds grounds for the revocation of peace officer certification; provides that the council may impose any reasonable condition upon the reinstatement of certification and provides subpoena power to the council; amends KRS 15.392 to remove reference to KRS 15.386 and establishes the procedure for certification reporting of peace officers who have certain law enforcement experience; amends KRS 15.404 to waive the requirement for completing a basic training course within 1 year of employment for those peace officers who have received a basic training credit approved by the Kentucky Law Enforcement Council; and amends KRS 15.440 to remove the requirement that all mandatory training obligations must be completed for peace officers with certain law enforcement experience.

SB 84

AN ACT relating to the housing of inmates.

Creates a new section of KRS Chapter 196 to establish restrictive housing and medical observation of inmates who are pregnant or in the immediate postpartum period; defines “immediate postpartum period”; creates a new section of KRS Chapter 196 to establish notice of availability and access to applicable community-based programs and social workers; establishes parameters for care of the infant for up to a 72-hour period after birth; and creates a new section of KRS Chapter 196 to require an annual restricted housing report be filed with the Legislative Research Commission.

SB 86

AN ACT relating to solid waste and making an appropriation therefor.

Amends KRS 30A.190 to designate 100 percent of a new open dumping fine to be paid to the county where the violation occurred; amends KRS 65.8808 to expressly include littering and open dumping as crimes subject to enforcement by code enforcement; clarifies entities not subject to fines and penalties by District Courts; amends KRS 224.40-100 to allow local governments to impose a civil fine between \$250 and \$500 for open dumping and prescribe funds to be used for abatement, cleanup, and restoration of the illegal dump site; specifies entities not subject to fines and penalties by District Court; clarifies that counties can maintain their current litter and open dumping programs; amends KRS 224.99-010 to direct penalties from littering to counties where the offense occurred; and amends KRS 431.100 to direct fines from violations under criminal littering to counties for use in cleanup of litter and open dumps and direct 100 percent of new open dumping violation to the county; APPROPRIATION.

SB 88

AN ACT relating to city annexation filings.

Amends KRS 81A.470 to remove language requiring a copy of the ordinance approving the annexation to be filed with the county clerk; stipulates that the ordinance to be sent to the Secretary of State’s office is the final ordinance; provides that, in addition to the map and ordinance that are required to be sent, an electronic file containing a closed geometric figure of the territory being added or removed, in prescribed formats, be included in the transmission; limits the cumulative file and e-mail size to 15 megabytes in size; amends KRS 81A.475, relating to communications to the county clerk, to include the submission of a map meeting the closed

geometric figure description requirements; and amends KRS 116.200 to require documentation of an annexation be sent to the county clerk pursuant to only KRS 81A.470.

SB 93

AN ACT relating to the State Board of Agriculture and declaring an emergency.

Amends KRS 246.120 to authorize the Commissioner of Agriculture to appoint members of the State Board of Agriculture; and amends KRS 257.230 to establish the duties of the state veterinarian; EMERGENCY; VETOED; OVERRIDDEN.

SB 99

AN ACT relating to construction projects.

Amends KRS 323.033 to include in exclusions facilities on property owned by the Commonwealth and used in furtherance of security or defense contracts with the federal government that meet certain requirements.

SB 101

AN ACT relating to career and technical education and declaring an emergency.

Amends KRS 156.844 to require that, when a local board of education assumes management of a state-operated vocational education and technology center, the local board must serve all districts serviced by the state-operated center, that transferred certified employees who had tenure shall be granted tenure, and that classified employees with 4 years of previous service shall be offered a contract for at least 5 years; amends KRS 157.069 to provide state supplemental funds to the locally operated secondary area centers that received state supplemental funds in fiscal year 2020-2021; provides that when a local board of education assumes management of a state-operated vocational education and technology center, the center shall receive 100 percent of the funding it received as a state-operated center in the first year and 75 percent of the funding it received thereafter; provides that the remaining 25 percent of the funds shall first be provided to locally operated centers that did not receive state funding for the current fiscal year; and requires the transfer of state-operated vocational education and technology centers to local district management to be done by the 2022-2023 academic year to qualify for the new funding provisions; EMERGENCY.

SB 102

AN ACT relating to Kentucky-grown agricultural products.

Amends KRS 260.016 to include Asian carp, paddlefish, or sturgeon in the definition of “Kentucky-grown agricultural product”; and amends KRS 260.019 to clarify that no producer or processor of Asian carp, paddlefish, or sturgeon shall be eligible to receive funds from the Kentucky Proud promotion fund or the Rural Development Fund.

SB 105

AN ACT relating to abandoned and blighted property.

Creates new sections of KRS Chapter 99 to define “abandoned and blighted property,” “actively marketed,” “building,” “competent entity,” “conservator,” “conservator’s fee,” “costs of rehabilitation,” “historic structure,” “immediate family,” “local government,” “nonprofit corporation,” “owner,” “party in interest,” “rehabilitation,” and “vacant”; establishes the guidelines for filing and serving a petition for the appointment of a conservator to take possession

of and undertake the rehabilitation of an abandoned or blighted property and the procedure for hearing the petition; establishes the powers and duties of the conservator; provides for the submission of a plan by the conservator to rehabilitate, demolish, or sell the abandoned and blighted property; establishes standards for termination of the conservatorship; and establishes the short title of “Abandoned and Blighted Property Conservatorship Act”; EFFECTIVE January 1, 2022; VETOED; OVERRIDDEN.

SB 120

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

Amends KRS 230.210 to define “licensed premises” and “pari-mutuel wagering” and to revise the definition of “track”; and amends KRS 230.361 to restrict wagering at simulcast facilities to pari-mutuel wagering on simulcasting; EMERGENCY.

SB 127

AN ACT relating to student health and safety.

Amends KRS 158.836 to encourage schools to keep bronchodilator rescue inhalers in at least two locations; requires each school to have policies and procedures in place when keeping bronchodilator rescue inhalers on hand; requires that the school health section of the Core Clinical Service Guide addresses bronchodilator rescue inhalers kept by schools; amends KRS 158.838 to define “bronchodilator rescue inhaler”; changes the definition of “medications” to include bronchodilator rescue inhaler; amends KRS 311.645 to define “asthma” and “bronchodilator rescue inhaler”; amends KRS 311.646 to specify that bronchodilator rescue inhalers can be prescribed to, dispensed to, filled by, and possessed by an authorized entity or certified individual, to allow for the administration of a bronchodilator rescue inhaler; amends KRS 311.647 to allow immunity from civil liability for personal injury for the administration, prescription, filling, and storage of bronchodilator rescue inhalers; and corrects outdated language throughout.

SB 128

AN ACT relating to supplementary education and declaring an emergency.

Allows public kindergarten through grade 11 students currently enrolled in Kentucky to request to use the 2021-2022 school year as a supplemental school year to retake and supplement coursework already completed; creates a temporary program for graduated seniors and allows the program to be included in calculating average daily attendance; requires local boards of education to either approve or deny all requests; establishes process for districts to implement program and to submit waivers to the Kentucky Department of Education; allows Kentucky nonpublic schools to also implement supplemental school years; ensures that students utilizing supplemental school years are not ineligible to participate in KHSAA activities; and ensures that KHSAA rules and regulations not specifically waived are affirmed, including transfer rules; EMERGENCY.

SB 129

AN ACT relating to education.

Amends KRS 158.6455 to add a Kentucky Department of Education technical advisory committee for purposes of advising the department on assessment and accountability in place of the National Technical Advisory Panel on Assessment and Accountability; requires that reports of advice be reported to the Office of Education Accountability; amends KRS 164A.055 to redefine “board”; establishes the Asset Resolution Corporation as an independent de jure municipal

corporation and political subdivision; authorizes the retention and compensation of employees; empowers the corporation to serve and support schools or students concerning student finances, postsecondary education, and workforce development; amends KRS 156.160 and 158.6453 to conform; and repeals KRS 158.6454.

SB 131

AN ACT relating to transportation and making an appropriation therefor.

Repeals, reenacts, and amends KRS 15A.350 to KRS 15A.366 as new sections of KRS Chapter 176 to transfer the Motorcycle Safety Education Commission and the motorcycle safety education program and fund from the Justice and Public Safety Cabinet to the Transportation Cabinet; attaches the commission to the Office of Highway Safety in the Department of Highways for administrative purposes; confirms Executive Order 2020-992, transferring the commission and its duties from the Justice and Public Safety Cabinet to the Transportation Cabinet; amends KRS 186.450 to require the Transportation Cabinet to promulgate administrative regulations to set forth procedures for adults in informal guardianship arrangements to assume responsibility for minors who reside with them, for rescinding of assumption of responsibility, for notification of minors for whom responsibility has been rescinded, and for allowing minors for whom responsibility has been rescinded to obtain a new signature of responsibility without having to retake examinations they have already passed; amends KRS 190.030 to allow the Motor Vehicle Commission to set annual fees for licenses through administrative regulation and to set caps at \$50 for salespersons and \$500 for all other licenses; directs the Legislative Program Review and Investigations Committee to perform a study of county attorney traffic safety programs, and sets forth parameters of the study and reporting deadlines; and amends KRS 186.450, 186.531, 186.535, and 176.010 to conform.

SB 133

AN ACT relating to emergency management.

Amends KRS 39E.030 to add the executive director of the Department of Military Affairs as vice chair of the Kentucky Emergency Response Commission and to grant authority to the vice chair to call and hold meetings of the commission.

SB 135

AN ACT relating to the postsecondary education performance fund and declaring an emergency.

Amends KRS 164.092 to revise the definition of “formula base amount”; establishes a definition of “funding floor” for purposes of priority funding for postsecondary institutions; adds a hold-harmless provision for fiscal year 2021-2022 and thereafter; adds a stop-loss provision of 0 percent for fiscal year 2021-2022 and thereafter; and establishes how amounts distributed from the performance fund shall be treated in the biennial budget process; EMERGENCY.

SB 140

AN ACT relating to jails.

Amends KRS 441.055 to specify what Department of Corrections jail regulations must allow regarding receipt of documents, mail, and meetings with attorneys.

SB 141

AN ACT relating to the coal workers' pneumoconiosis fund.

Amends KRS 342.1242 and 342.1243 to provide guidelines for distribution of funds remaining in the Kentucky coal workers' pneumoconiosis fund.

SB 146

AN ACT relating to employment.

Creates a new section of KRS Chapter 336 to require criminal background checks for certain employees of the Kentucky Labor Cabinet; and amends KRS 151B.285 to mandate operation of regional employment offices throughout the Commonwealth.

SB 147

AN ACT relating to the adjutant general.

Amends KRS 36.040 and 36.070 to redistribute the power to make contracts and acquire property for the Department of Military Affairs from the facilities director to the executive director.

SB 148

AN ACT relating to child care and declaring an emergency.

Amends KRS 199.896 to specify the topics for which the Cabinet for Health and Family Services may promulgate administrative regulations related to child-care centers and to specify that the capacity restrictions on child care class and group sizes for child-care centers cannot be below the level in place on February 1, 2020; and amends KRS 199.8982 related to requirements on a local government regulating certified family child-care homes; EMERGENCY; VETOED; OVERRIDDEN.

SB 154

AN ACT relating to home health care and declaring an emergency.

Amends KRS 216.935 to change the definition of "home health aide services" to include the assisting of patients with medication ordinarily self-administered that has been specifically ordered by a physician assistant; amends KRS 304.17-312 to change the definition of "home health care" to include care and treatment provided by a home health agency which is prescribed and supervised by an advanced practice registered nurse or a physician assistant and to change the definition of "home health aide services" to include the assisting of patients with medication ordinarily self-administered that has been specifically ordered by an advanced nurse practitioner or a physician assistant; amends KRS 304.17-313 to allow home health care reimbursement if certified by an advanced practice registered nurse or a physician assistant; amends KRS 304.18-037 to allow home health care reimbursement if certified by an advanced practice registered nurse or a physician assistant; and amends KRS 304.38-210 to allow home health care reimbursement if certified by an advanced practice registered nurse or a physician assistant; EMERGENCY.

SB 161

AN ACT relating to National Guard leadership.

Amends KRS 36.025 to align the job titles of Kentucky Air National Guard leadership with their current federal job titles and to permit certain National Guard leadership to be employees of the Commonwealth; and amends KRS 36.030 to conform.

SB 162

An ACT relating to state government.

Amends KRS 12.020 to rename an office and a commission associated with the Cabinet for Economic Development; amends KRS 14.025 to abolish the Division of Administration and the Division of Business Filings in the Office of the Secretary of State; creates the Office of Administration, Office of Business Services, and Office of Elections, and describes the duties of the offices; confirms Secretary of State Executive Order 2020-02; amends numerous KRS chapters to update language replacing Kentucky Claims Commission with the Office of Claims and Appeals, and establish three boards within this office as the Board of Tax Appeals, Board of Claims, and Crime Victims Compensation Board; amends KRS 65.7047 to require the city or county to engage a qualified independent outside consultant prior to entering a local tax increment financing agreement; amends KRS 141.396 to require the Department of Revenue to submit an annual report on the Angel Investor tax credit; amends KRS 141.403 to sunset the income tax credit related to the Kentucky Industrial Revitalization Act; amends KRS 154.12-204 to coordinate the definitions related to the Bluegrass State Skills grant in aid and training tax credit with the definitions in other economic development programs; amends KRS 154.12-206 and 154.12-207 to modify the delivery of skills training and increase the tax credit thresholds awarded to approved companies; amends KRS 154.12-310 to require a statewide network of Kentucky innovation hubs; amends KRS 154.20-230 to allow the certain entities involved in other technological advances to be deemed as engaged in a qualified activity for tax credit purposes; amends KRS 154.20-232 and 154.20-234 to modify the administrative processes for the Kentucky Angel Investment Act; amends various sections in KRS Chapter 154, subchapter 20, to add and modify definitions related to the Kentucky Investment Fund Act, create a new tax credit cap, limit the tax credit to 25 percent of the investor's proportional ownership share, and make changes to the application and approval process; amends KRS 154.31-010 to add and modify definitions related to the sales and use tax refund related to the Kentucky Investment Act; creates a new section in KRS Chapter 154, subchapter 26, to sunset the Kentucky Industrial Revitalization Act; amends various sections in KRS Chapter 154, subchapter 32, to eliminate, add, and modify definitions related to the Kentucky Business Investment Program, expand the qualifying activities, and eliminate the advance disbursement provisions; amends various sections of KRS Chapter 154, subchapter 34, to add and modify definitions related to the Kentucky Reinvestment Act, require a preliminarily approved company to complete the reinvestment project within 3 years from the date of preliminary approval, limit the amount of incentives allowed in any year to no more than 20 percent of the total amount of approved costs, and require the company to incur at least \$1 million of eligible equipment and related costs for leased projects; amends various sections in KRS Chapter 154, subchapter 35, to add definitions related to the Kentucky Research and Development Infrastructure Fund; amends various sections in KRS Chapter 164 to move the Kentucky Innovation Act and the Kentucky Enterprise Fund to the Cabinet for Economic Development, increase the amount of grants awarded from the fund, and change administrative processes; transfers all moneys in the Kentucky Rural Innovation Fund and the Kentucky Commercialization Fund on July 1, 2021; amends KRS 355.9-513A and various other KRS chapters and sections to conform; and repeals various sections in KRS Chapter 164.

SB 163

AN ACT relating to charitable health care providers.

Amends KRS 216.940 to expand definition of “charitable health care provider”; makes technical corrections; and amends KRS 304.40-075 to conform.

SB 165

AN ACT relating to financial transactions.

Amends KRS 45A.705 to provide appeal procedures to the State Treasurer by Secretary of Finance and Administration if the Government Contract Review Committee recommends revision or cancellation of a proposed contract instead of allowing the secretary to proceed with the contract; amends KRS 65.530, relating to the powers of riverport authorities, to make the imposition of rates, charges, and fees for the use of the riverport facilities permissive, and to require publication of those rates, charges, and fees in a manner available to the general public in the county in which the riverport is located; and amends KRS 426.522, relating to the court-ordered sale of property, to establish auctioneer fees when the sale is a result of a foreclosure in contrast to other sales of property; VETOED; OVERRIDDEN.

SB 166

AN ACT relating to alcohol and drug counselors and declaring an emergency.

Creates new sections of KRS Chapter 309 to require applicants for certification as certified clinical supervisors and licensure as alcohol and drug counselors to meet education and examination requirements; amends KRS 309.080 to define “certified clinical supervisor” and “licensed alcohol and drug counselor”; adds requirements for certification as a certified clinical supervisor; and amends KRS 309.0805, KRS 309.0813, KRS 309.0832, and KRS 309.088 to conform; EMERGENCY.

SB 168

AN ACT relating to reorganization.

Confirms Executive Order 2020-590, which reorganizes various offices in the Department of Education; confirms, in part, Executive Order 2020-1033 related to the Education Professional Standards Board; amends various KRS sections to conform; and repeals KRS 151B.230 and 156.017.

SB 169

AN ACT relating to duty-related disability benefits.

Amends KRS 7A.255 to require reporting of line-of-duty disability benefits to the Public Pension Oversight Board; amends KRS 16.505, 61.510, and 78.510, as applicable, to define “dependent child” and “monthly average pay,” relating to total and permanent line-of-duty and duty-related disability benefits; amends KRS 16.582 and 61.621 to increase the minimum total and permanent line-of-duty or duty-related disability benefits payable to a member of any of the systems administered by the Kentucky Retirement Systems from 25 percent to 75 percent of the member’s monthly average pay for those members who are in a hazardous duty position or in a nonhazardous position that could be approved as a hazardous duty position; amends KRS 61.607 to require members receiving line-of-duty disability benefits to annually file forms verifying payment of Social Security or workers’ compensation benefits; amends KRS 61.610 to provide that line-of-duty disability medical reviews shall occur no more than once every 3 years and to

provide that the systems shall hire a private investigator to investigate disability fraud and to provide spot audits of line-of-duty recipients; amends KRS 61.702 to ensure full hospital and medical insurance benefits for the member, spouse, and dependents of a member who has a total and permanent line-of-duty or duty-related disability; provides for prospective adjustments in benefits for those eligible members who were totally and permanently disabled in line of duty or due to a duty-related injury; makes conforming and technical amendments; provides that Sections 1 to 11 of the Act shall apply to the County Employees Retirement System regardless of any other bills enacted during the 2021 Regular Session; and specifies that KRS 6.945 shall not apply to the Act.

SB 171

AN ACT relating to local government and declaring an emergency.

Creates a new section of KRS Chapter 211 to require the Cabinet for Health and Family Services to promulgate regulations regarding splash pads that are operated by local governments; amends KRS 58.150, relating to the issuance of bonds, to remove the exception that notes of amounts of less than \$1 million are not advertised pursuant to KRS 424.360 and provides that in such a case the publications required under the section are sufficient; amends KRS 66.480 relating to the investment of moneys subject to various governing jurisdictions to exclude from the investment maximum of 40 percent mutual funds consisting of specified investments; and adds a noncodified section to require fiscal courts to initiate reapportionment proceedings in 2022 instead of 2021; EMERGENCY; VETOED; OVERRIDDEN.

SB 172

AN ACT relating to underground facility protection.

Amends KRS 367.4911 to require excavators to cease excavation or demolition activities immediately upon discovery of damage to an underground facility; requires exempted excavation activities under KRS 367.4915 to cease operations when damage occurs to an underground facility or system used for producing, storing, conveying, transmitting, or distributing gas, petroleum, petroleum products, or hazardous liquids and notify all affected operators; requires excavators, or individuals or entities exempted under KRS 367.4915, to notify appropriate authorities if the damage causes concern for public or workplace safety or results in the escape or suspected escape of flammable, toxic, or corrosive gas or liquid; and amends KRS 367.4915 to exempt nonintrusive excavating for inspecting or performing maintenance for an existing utility pole from the Underground Facility Damage Prevention Act.

SB 214

AN ACT relating to cessation of participation by Kentucky Employees Retirement System employers, making an appropriation therefor, and declaring an emergency.

Amends KRS 61.522 that is effective until April 1, 2021, and effective on or after April 1, 2021, to permit Kentucky Employees Retirement System (KERS) employers who are voluntarily ceasing participation in the system to make multiple lump-sum payments by the set due date and to receive interest credit for early payment; and authorizes Northern Kentucky University to issue bonds in fiscal year 2021 not exceeding \$320 million for the costs of ceasing participation in KERS; and authorizes the Kentucky Asset/Liability Commission to issue notes to finance Northern Kentucky University's bonds and provide that notes issued have a maturity of up to 30 years; APPROPRIATION; EMERGENCY.

SB 215

AN ACT relating to transportation.

Amends KRS 174.020 and 12.020 to establish the Secretary's Office of Safety within the Transportation Cabinet, Office of the Secretary; confirms Executive Order 2020-1027; directs the Transportation Cabinet to rename the Louie B. Nunn Cumberland Parkway the Louie B. Nunn Cumberland Expressway, and within 30 days of the effective date, to make all changes on digital maps, Web sites, databases, and official highway lists; allows the Transportation Cabinet to change all highway signs and markings and to reflect the name change after signs are damaged or in the course of ordinary maintenance and to replace printed maps at the time of next publication; creates a new section of KRS Chapter 189 to allow a local government to pass a pilot project, by ordinance, to allow off-highway vehicles (OHVs) on roadways; requires the local government to have a public meeting prior to passing an OHV ordinance; requires public notification of the meeting; outlines procedure for a local government to request a state roadway or portion of a state roadway to be included in its OHV ordinance; establishes OHV safety and equipment requirements and operating requirements; establishes OHV signage requirements; requires that an OHV be insured prior to highway operation; directs the Transportation Cabinet to promulgate administrative regulations regarding highway use of OHVs as part of a trail system; amends KRS 189.090 to establish a penalty of \$250 for operating an OHV in violation; provides that provisions regarding OHV pilot projects sunset on July 1, 2024, unless the General Assembly takes further action; suspends imposition and collection of fines and penalties on overweight trucks on non-coal haul roads, in limited circumstances, for up to 30 days from the effective date of the Act; corrects the location of an honorary highway designation contained in 2020 Ky. Acts Ch. 116, sec. 43 for the Bernard T. Moynahan Memorial Highway; and amends KRS 189.390 and 189.515 to conform.

SB 221

AN ACT relating to reorganization.

Amends KRS 12.020 to change the name of the Office of Career Development and to create the Division of Technical Assistance within the Department of Workforce Investment; amends KRS 151B.020 to change the name of the Office of Career Development and to create the Division of Technical Assistance; amends KRS 200.700 to move the Early Childhood Advisory Board from the Office of the Governor to the Education and Workforce Development Cabinet; and confirms Executive Order 2020-529.

SB 227

AN ACT relating to Capitol campus security.

Amends KRS 6.420 to require the Department of Kentucky State Police to specifically provide certified officers to protect the property, facilities, and on- and off-site meetings of the General Assembly, and to brief the leadership of the General Assembly and the Legislative Research Commission on security matters relating to the Capitol campus.

SB 228

AN ACT relating to a vacancy in Congress.

Amends KRS 63.200 to change the procedure for filling a vacancy in the office of United States senator; establishes that no candidate shall be elected to fill a vacancy in the office of United States senator at a regular election held without a primary unless the candidate receives a majority

of the votes cast, and that if no candidate receives majority of the votes cast, a runoff election shall be held; and amends KRS 118.740 and 118.770 to conform; VETOED; OVERRIDDEN.

SB 231

AN ACT relating to attorney's fees for paternity actions.

Creates a new section of KRS Chapter 406 to allow the court to consider the financial resources of both parties to a paternity action, and order a party to pay a reasonable portion of the other party's attorney's fees and costs, or full costs in actions initiated in bad faith.

SB 236

AN ACT relating to vehicle license plates.

Amends KRS 186.005 to eliminate requirement of three letters and three numerical digits on a vehicle license plate; amends KRS 186.240 to set forth requirements for vehicle license plates; and amends KRS 186.060 and 186.061 to conform.

SB 251

AN ACT relating to the Department of Law.

Amends KRS 15.010 to reorganize the Department of Law; amends KRS 15.020 to authorize the Attorney General to bring an action regarding the constitutionality of statutes, regulations, and orders; establishes venue; amends KRS 15.060 to authorize assistance from other areas of state government regarding investigations and prosecutions of various matters; and amends KRS 15.113 to identify additional illegal or fraudulent activity under the investigative authority of the Attorney General; VETOED; OVERRIDDEN.

SB 255

AN ACT relating to commercial mining of cryptocurrency.

Amends KRS 154.27-010 to define additional terms; amends KRS 154.27-020 to change the name of the program to "Incentives for Energy-Related Business" and include cryptocurrency facilities with a minimum capital investment of \$1 million; and amends KRS 154.12-2035, 154.27-030, 154.27-095, and 353.804 to conform; EFFECTIVE July 1, 2021.

SB 257

AN ACT relating to utility fuel costs.

Creates a new section of KRS Chapter 278 to require the Public Service Commission, when reviewing any fuel adjustment clauses for contracts entered into on or after July 1, 2021, to subtract any coal severance tax imposed by any jurisdiction when determining the reasonableness of fuel costs in contracts and competing bids; and defines "fuel adjustment clause."

SB 267

AN ACT relating to the dissemination of personally identifying information.

Creates a civil cause of action under KRS Chapter 411 for damages and costs; specifies there is no liability for certain providers when acting in the capacity of a provider of services; creates a new section of KRS Chapter 525 to define terms and specify that the public dissemination of personally identifying information about a person or a member of the person's family or household with the intent to intimidate, abuse, threaten, harass, or frighten that person is a criminal act if the dissemination would cause a reasonable person to be in fear or physical injury to himself

or herself, or to a member of his or her immediate family or household; establishes criminal penalties.

SB 270

AN ACT relating to postsecondary education and making an appropriation therefor.

Amends KRS 161.028 to allow colleges or universities to offer teacher preparation programs with regional accreditation or national accreditation if recognized by the U.S. Department of Education and if the institution is eligible to receive federal funding under 20 U.S.C. secs. 1061 to 1063; amends KRS 164.785 to allow a Kentucky college or university to be an eligible institution for a Kentucky tuition grant if it is accredited by the Southern Association of Colleges and Schools or a national accreditation association and if the institution is eligible for federal funding under 20 U.S.C. secs. 1061 to 1063; requires Kentucky State University to explore and pursue a partnership with any other historically black college or university in the Commonwealth to offer certain courses and to partner with the Cabinet for Health and Family Services and other historically black colleges or universities in the Commonwealth to design and implement a pilot project to help address certain issues of health education, wellness, and food insecurity; APPROPRIATION.

SB 274

AN ACT relating to local government.

Creates a new section of KRS Chapter 81A to establish procedures for cities wholly contained within two counties when those cities wish to annex territory in an additional county; amends KRS 68.197 to establish a base revenue for the license fees for counties when both the city and the county levy license fees and the city annexes territory in that county as well as controlling for changes in revenues and rates; and amends KRS 81A.410 to accommodate the types of annexations under the provisions of the first section.

SJR 59

A JOINT RESOLUTION directing the Cabinet for Health and Family Services to create an advisory committee to investigate funding mechanisms and feasibility studies around recovery housing including a full continuum of care for the treatment of individuals with substance use disorders.

Requires the Cabinet for Health and Family Services to create an advisory committee to establish a pilot program to investigate funding mechanisms for a diversion program for treatment and recovery housing services for individuals with substance use disorder who have been arrested for substance use disorder-related offenses; establishes membership to the advisory committee; establishes that the pilot program shall start by July 1, 2022; requires a status report related to the pilot program development that is due December 31, 2021.

Senate Simple Resolutions

SR 79

Confirm the appointment of Thomas G. Polites as an administrative law judge in the Department of Workers' Claims for a term expiring July 14, 2024.

SR 80

Confirm the appointment of Peter J. Naake as an administrative law judge in the Department of Workers' Claims for a term expiring July 14, 2024.

SR 84

Confirm the appointment of Tonya M. Clemons as an administrative law judge in the Department of Workers' Claims for a term expiring July 14, 2024.

SR 85

Confirm the appointment of Kent Alan Chandler to the Public Service Commission for a term expiring July 1, 2024.

SR 86

Confirm the appointment of Dr. Rodney W. Casada to the Board of Directors of the Employers Mutual Insurance Authority for a term expiring December 31, 2020.

SR 90

Confirm the appointment of Matthew Edwin Price to the Governor's Postsecondary Education Notimating Committee for a term expiring April 14, 2026.

SR 92

Confirm the appointment of Ken Perry to the Northern Kentucky University Board of Regents for a term expiring June 30, 2026.

SR 97

Confirm the appointment of Carmen Yvonne Souder to the Education Professional Standards Board for a term expiring June 30, 2021.

SR 101

Confirm the appointment of Donna Hedgepath to the Education Professional Standards Board for a term expiring June 30, 2022.

SR 111

Confirm the appointment of H. David Wallace to the Kentucky Registry of Election Finance for a term expiring September 9, 2024.

SR 112

Confirm the appointment of Randolph J. Poe to the Kentucky Board of Education for a term expiring April 14, 2022.

SR 113

Confirm the appointment of Joshua Brian Lillard to the Kentucky Fish and Wildlife Commission for a term expiring August 13, 2024.

SR 145

Confirm the reappointment of G. Alan Long to the Eastern Kentucky University Board of Regents for a term expiring June 30, 2026.

SR 149

Confirm the appointment of Sherry Lynn Powers to the Education Professional Standards Board for a term expiring June 30, 2021.

SR 150

Confirm the appointment of Julian Vasquez Heilig to the Education Professional Standards Board for a term expiring June 30, 2023.

SR 152

Confirm the appointment of Elaine Nogay Walker to the Governor's Postsecondary Education Nominating Committee for a term expiring April 14, 2026.

SR 153

Confirm the appointment of Matthew W. Linville to the Governor's Postsecondary Education Nominating Committee for a term expiring April 14, 2024.

SR 154

Confirm the appointment of Jacqueline Colleen Mayfield to the Education Professional Standards Board for a term expiring June 30, 2022.

SR 155

Confirm the appointment of Traci Morris Hunt to the Education Professional Standards Board for a term expiring June 30, 2022.

SR 156

Confirm the appointment of Leigh Amber Snell to the Education Professional Standards Board for a term expiring June 30, 2021.

SR 158

Confirm the appointment of Cathy Chanelle Gunn to the Education Professional Standards Board for a term expiring June 30, 2023.

SR 159

Confirm the appointment of Elijah Daye Edwards to the Education Professional Standards Board for a term expiring June 30, 2022.

SR 160

Confirm the appointment of Lisa Marie Rudzinski to the Education Professional Standards Board for a term expiring June 30, 2023.

SR 161

Confirm the appointment of Justin Kyle Mitchell to the Education Professional Standards Board for a term expiring June 30, 2022.

SR 163

Confirm the reappointment of Stephen F. LeLaurin to the Board of Trustees of the Judicial Form Retirement System for a term expiring June 30, 2024.

SR 164

Confirm the appointment of Phillip Prokes to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 166

Confirm the appointment of Mike S. Stacy to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 167

Confirm the appointment of Paula Leach Pope to the University of Kentucky Board of Trustees for a term expiring June 30, 2026.

SR 168

Confirm the appointment of Raymond Anthony Daniels to the University of Kentucky Board of Trustees for a term expiring June 30, 2025.

SR 169

Confirm the appointment of Joseph Ronald Geoghegan Sr. to the University of Kentucky Board of Regents for a term expiring June 30, 2026.

SR 170

Confirm the reappointment of Robert Dale Vance to the University of Kentucky Board of Trustees for a term expiring June 30, 2026.

SR 171

Confirm the appointment of Diane Lilly Porter to the University of Louisville Board of Trustees for a term expiring January 13, 2026.

SR 172

Confirm the appointment of Alfonso Cornish to the University of Louisville Board of Trustees for a term expiring January 13, 2026.

SR 173

Confirm the appointment of Wilton Currie Milliken to the Western Kentucky University Board of Regents for a term expiring June 30, 2025.

SR 174

Confirm the appointment of Jan Michele West to the Western Kentucky University Board of Regents for a term expiring June 30, 2026.

SR 175

Confirm the appointment of Cammie D. Grant to the Kentucky Lottery Corporation Board of Directors for a term expiring November 28, 2024.

SR 176

Confirm the appointment of Isaac Jordan Myers II to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2022.

SR 177

Confirm the appointment of McKinnley Morgan to the Kentucky Personnel Board for a term expiring January 1, 2025.

SR 178

Confirm the appointment of Grace-Nicole Danielle Burke to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 179

Confirm the appointment of Barry Kelvin Martin to the Kentucky Community and Technical College System Board of Regents for a term expiring July 21, 2026.

SR 180

Confirm the reappointment of Porter G. Peeples to the Kentucky Housing Corporation Board of Directors October 30, 2024.

SR 181

Confirm the appointment of Beverly Denise Chester-Burton to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2024.

SR 182

Confirm the appointment of Cathy Hinko to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2024.

SR 183

Confirm the appointment of Dr. Thomas Gerald Abell to the Kentucky Lottery Corporation Board of Directors for a term expiring November 28, 2023.

SR 184

Confirm the appointment of Timothy Akins to the Kentucky Public Transportation Infrastructure Authority for a term expiring October 1, 2024.

SR 185

Confirm the appointment of Adrian M. Mendiondo to the Kentucky Registry of Election Finance for a term expiring September 2, 2024.

SR 186

Confirm the appointment of John Bissell Roberts to the Kentucky Registry of Election Finance for a term expiring September 16, 2024.

SR 187

Confirm the appointment of Laura Marie Bennett to the Kentucky Registry of Election Finance for a term expiring September 24, 2024.

SR 188

Confirm the appointment of David Bryan Sloan to the Mine Safety Review Commission for a term expiring May 23, 2024.

SR 189

Confirm the appointment of Arthur Everett Walker III to the Morehead State University Board of Regents for a term expiring June 30, 2026.

SR 190

Confirm the appointment of Sharon Leigh Hardesty to the Parole Board for a term expiring June 30, 2024.

SR 191

Confirm the appointment of Deanna D. Ashby to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 192

Confirm the appointment of Jacqueline G. Burnside to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 193

Confirm the appointment of Kenneth Christopher LeMonds to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 194

Confirm the appointment of Mary Leigh Lewis to the Standards and Assessments Process Review Committee for a term expiring May 27, 2024.

SR 205

Confirm the appointment of George Carlisle Cheatham II to the Board of Trustees of the County Employees Retirement System for a term expiring March 31, 2025.

SR 206

Confirm the appointment of William Thomas O'Mara to the Board of Trustees of the County Employees Retirement System for a term expiring March 31, 2025.

SR 207

Confirm the appointment of James Michael Foster to the Board of Trustees of the Kentucky Retirement Systems for a term expiring July 1, 2021.

SR 209

Confirm the appointment of Merl M. Hackbart to the Board of Trustees of the County Employees Retirement System for a term expiring March 31, 2025.

SR 210

Confirm the appointment of Thomas Miles McKee to the Agricultural Development Board for a term expiring July 6, 2024.

SR 215

Confirm the appointment of Jamie S. Bowling to the Kentucky Board of Education for a term expiring April 14, 2024.

SR 223

Confirm the appointment of Mitchel B. Denham Jr. to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2024.

SR 246

Confirm the appointment of Muhammad Babar to the Council on Postsecondary Education for a term expiring December 31, 2024.

SR 247

Confirm the appointment of Eric G. Farris to the Council on Postsecondary Education for a term expiring December 31, 2025.

SR 248

Confirm the appointment of Kevin Wayne Weaver to the Council on Postsecondary Education for a term expiring December 31, 2023.

House Bills

HB 1

AN ACT relating to reopening the economy in the Commonwealth of Kentucky in response to the state of emergency declared by the Governor of Kentucky beginning in March 2020 and continuing throughout the year of 2021 and declaring an emergency.

Provides relief to businesses and individuals during the COVID-19 state of emergency; provides that businesses, associations, local governments, and schools and school districts may remain open and fully operational so long as they adopt an operating plan that meets or exceeds all applicable guidance issued by the Centers for Disease Control and Prevention or the executive branch, whichever is least restrictive; suspends interest and penalties on unpaid unemployment insurance contributions; provides guidelines for noncustodial parental visitation during the COVID-19 state of emergency; and provides guidelines for visitation at long-term care facilities by essential personal care visitors and essential compassionate care visitors during the COVID-19 state of emergency; retroactive to March 6, 2020; EMERGENCY; VETOED; OVERRIDDEN.

HB 2

AN ACT relating to medical procedures and declaring an emergency.

Amends KRS 15.241 to allow the Attorney General to seek injunctive relief as well as civil and criminal penalties to prevent, penalize, and remedy violations of KRS Chapter 216B relating to abortion facilities, violations of KRS 311.710 to 311.830 relating to abortions, and violations of emergency management orders relating to elective medical procedures issues under KRS Chapter 39A; specifies that nothing in this Act shall limit or preclude the secretary of the Cabinet for Health and Family Services from seeking similar relief; and creates a noncodified section to prohibit an abortion facility from deeming an abortion to be performed in an abortion facility to be an emergent or urgent medical procedure during the state of emergency declared in response to COVID-19; EMERGENCY; VETOED; OVERRIDDEN.

HB 3

AN ACT relating to civil actions and declaring an emergency.

Creates a new section of KRS Chapter 452 to establish that challenges to the constitutionality of a state statute, executive order, administrative regulation, or cabinet order shall be filed in the office of the Circuit Court clerk in the county of the plaintiff's residence; provides that nonresidents of Kentucky shall file any challenge in Franklin Circuit Court; and requires notification of any challenge be given to the Attorney General; EMERGENCY; VETOED; OVERRIDDEN.

HB 4

AN ACT proposing to amend the Constitution of Kentucky relating to sessions of the General Assembly.

Proposes to repeal Sections 36, 42, and 55 of the Kentucky Constitution to eliminate the existing dates by which the General Assembly must adjourn in any regular session; proposes new sections of the Kentucky Constitution to establish that no regular session of the General Assembly shall extend beyond 30 legislative days in odd-numbered years or 60 legislative days in even-numbered years; establishes that the General Assembly may be convened upon a Joint Proclamation of the President of the Senate and the Speaker of the House of Representatives for

no more than 12 legislative days annually; establishes that no Act of the General Assembly shall become law until July 1 of the year in which was passed, or 90 days after passage; specifies that in cases of emergency a bill becomes law when signed by the Governor or when it otherwise becomes law under Section 88 of the Kentucky Constitution; and provides ballot language and submission to the voters for their ratification or rejection.

HB 5

AN ACT relating to reorganizations and declaring an emergency.

Amends KRS 12.028 to remove the provisions related to temporary reorganizations; and repeals KRS 12.027, which requires temporary reorganizations to be set forth by executive order; EMERGENCY; VETOED; OVERRIDDEN.

HB 6

AN ACT relating to legislative oversight and declaring an emergency.

Creates a new section of KRS 6.900 to 6.935 to establish a penalty not to exceed \$100 per day and a maximum of \$1,000 for any person who fails to comply with a subpoena issued by the Legislative Oversight and Investigations Committee; amends KRS 6.900 to define “person”; amends KRS 6.905 to change the name of the Legislative Program Review and Investigations Committee to the Legislative Oversight and Investigations Committee; requires the President of the Senate and the Speaker of the House to appoint a co-chair and vice chairs from their respective bodies and make provisions for appointment of a subcommittee; amends KRS 6.910 to set forth the purpose of the committee; provides that information and working papers of the committee are exempt from open records; allows the committee to study a matter without regard to jurisdiction of another statutory or standing committee; provides for issuance of subpoenas; amends KRS 6.930 to allow the committee to report any matter under its study to law enforcement, the Auditor of Public Accounts, or any other state official having jurisdiction over the matter under investigation and to require a report; requires the Circuit Court to render final judgment within 45 days from the date when a petition is filed by the committee or from the date of the commencement of any action or motion by any witness seeking to quash or resist compliance with a subpoena issued by the committee; and amends KRS 12.028 and 620.055 to conform; EMERGENCY; VETOED; OVERRIDDEN.

HB 7

AN ACT relating to the Advisory Council for Recovery Ready Communities.

Creates a new section of KRS Chapter 222 to establish the Advisory Council for Recovery Ready Communities; establishes membership and duties of the council; and allows for the promulgation of administrative regulations.

HB 8

AN ACT relating to the Kentucky Employees Retirement System’s employers, declaring an emergency, and making an appropriation therefor.

Creates a new section of KRS 61.510 to 61.705 that requires certain quasi-governmental employers participating in the Kentucky Employees Retirement System (KERS) to report the use of contracted or leased employees to the system and requires the systems to report the compiled data annually to the state budget director and the Legislative Research Commission; provides Kentucky Retirement Systems (KRS) with authority to audit an employer to verify the use of

contracted/leased employees; establishes intent that future appropriations to help subsidize retirement costs for these employers will correlate to the process of bringing contracted/leased employees back into KERS; specifies factors that may result in loss of subsidy; creates a new section of KRS Chapter 212 to specify how KERS retirement costs are allocated if a district health department ceased to operate or has a county or counties withdraw from the district; provides that the allocation of KERS costs shall be based upon the withdrawing county's proportion of taxable property in the district health department; requires the Department for Public Health to provide certification of taxable property to the retirement system; provides that KRS may allocate costs for any district health department that ceases to operate prior to the effective date of the Act; requires KRS to amend the actuarial valuation in accordance with the amendments to KRS 61.565 in this Act and to report updated employer contributions to the Governor and General Assembly; amends KRS 61.510 to modify the definition of "level percentage of payroll amortization method" to conform to amendments in KRS 61.565; amends KRS 61.522 to provide that the discount rate for universities that voluntarily cease participating in KERS with the soft freeze option and pay by lump-sum shall be 5.25 percent; amends KRS 61.565 to change KERS' nonhazardous actuarially accrued liability contribution (unfunded liability payment) that is payable by employers on or after July 1, 2021, from a value that is paid as a percentage of pay on each employee to a set dollar amount; provides that the set dollar amount shall be allocated to each individual employer based upon the employer's percent share of the liability as of the June 30, 2019, actuarial valuation and shall be paid by employers in equal installments monthly; provides criteria for when adjustments to the dollar value and percentage share may occur; provides that a single amount shall be determined for state agencies in the legislative, executive, and judicial branch that participate in KERS; provides that a KERS employer may charge the cost as a percentage of pay for purposes of collecting contributions but shall be responsible to provide the full set dollar amount owed; provides that if a KERS employer merges, splits, separates, or establishes a new agency, KRS shall have full authority to allocate the costs to any employer or entity that results from the split, separation, or establishment of a new agency; establishes an appeals process beginning July 1, 2021, with a final determination by December 31, 2021, regarding the assignment of liabilities to each KERS employer or university to dispute any potential errors in the assignment of a fixed dollar allocation in situations where the last participating employer or university had employees providing services to the state through a contract between the employer or university and the state; and amends KRS 61.675 to provide that if a KERS nonhazardous employer is delinquent for 90 days or more in making the required employer contributions on or after July 1, 2021, KRS shall not allow future service credit accruals by the employer's employees until such time as payments are up to date, may file action in Franklin Circuit Court to collect delinquent employer contributions, and shall notify the Finance and Administration Cabinet, which may choose to withhold state appropriations to the employer until such time as the contributions are made; APPROPRIATION; EMERGENCY.

HB 9

AN ACT relating to retirement and declaring an emergency.

Creates separate retirement benefit, disability benefit, retiree health benefit, and other benefit statutes for the County Employees Retirement System (CERS) apart from the Kentucky Retirement Systems (KRS) as provided in intent language of HB 484 during the 2020 Regular Session; amends KRS 16.642, 61.650, 61.701, and 78.790 to allow KRS and CERS to use the existing registration of assets in order to avoid additional expenses, and makes conforming and

technical amendments; amends KRS 16.505 and 61.510 to amend definition of “retirement office,” to make conforming amendments, and to remove language that was voided due to a court ruling; repeals, reenacts, and amends KRS 61.5955 to remove language that was voided due to a court ruling, and restores prior statute language to conform to a recent private letter ruling from the federal government; amends KRS 61.645 and 78.782 to provide that appointments by the Governor to the KRS or CERS board shall be made at least 30 days prior to the seat’s becoming vacant and to provide that each board may request that specific items be included in an overall Kentucky Public Pensions Authority (KPPA) administrative budget; amends KRS 61.505 that creates the KPPA to allow it to promulgate administrative regulations and hire a chief investment officer and deputy chief investment officer outside of the KRS Chapter 18A requirements, and to require the KPPA to submit a budget for approval during the biennial budgeting process; repeals, reenacts, and amends KRS 61.552, regarding service purchases, to clean up provisions and to add service purchase provisions from other statutes that are repealed by the Act; repeals, reenacts, and amends KRS 61.702 to separate CERS from KRS retiree health benefit provisions that are now included in a new section of the bill and to clean up provisions; amends KRS 78.635 to include changes from SB 249 from the 2020 Regular Session regarding amortization of unfunded liabilities that were not included in HB 484; amends numerous statutes to make technical and conforming amendments and to remove language voided due to a court ruling; repeals KRS 61.555 and 61.5525, whose provisions are now included in KRS 61.552 as amended by the Act; repeals KRS 61.5956, which was voided by a court ruling; specifies that no provision of this Act shall increase or decrease benefits; specifies that no provision of this Act shall limit the General Assembly’s authority held prior to the Act; provides that the CERS board created by HB 484 may meet but may not take action prior to April 1, 2021; and provides that the current KRS executive director shall serve as the KPPA executive director until a permanent replacement is determined; EMERGENCY.

HB 38

AN ACT relating to the Psychology Interjurisdictional Compact.

Creates a new section of KRS Chapter 319 to enact and enter into the Psychology Interjurisdictional Compact with all other jurisdictions that legally join the compact; declares the purpose of the compact; defines terms; allows a psychologist to simultaneously hold licenses from one or more compact states; recognizes the right of a psychologist licensed in the compact to practice telepsychology in other compact states where the psychologist is not licensed; establishes conditions under which a psychologist licensed to practice in a compact state can practice telepsychology; establishes the conditions under which a psychologist licensed to practice in a compact state may be granted a temporary authorization to practice; authorizes a home state to take adverse action against a psychologist’s license issued by the home state; allows a receiving state to take adverse action on a psychologist’s authority to practice interjurisdictional telepsychology within that receiving state; authorizes a compact state’s ability to issue subpoenas for hearings and investigations as well as cease and desist and injunctive relief orders to revoke a psychologist’s authority to practice interjurisdictional telepsychology and temporary authorization to practice; establishes the Psychology Interjurisdictional Compact Commission; requires the commission to provide for and maintain a Coordinated Licensure Information System (Coordinated Database) and reporting system containing licensure and disciplinary action information on psychologists participating in the compact; provides immunity for members, officers, executive director, employees, and representatives of the commission who act in

accordance with the provisions of the compact; authorizes the commission to establish rulemaking procedures; authorizes the executive, judicial, and legislative branches of state government to enforce the provisions of the compact; affirms that rules promulgated will have standing as statutory law; requires provisions of the compact to become effective on the date the compact is enacted into law in the seventh compact state; requires the privilege to practice psychology in any member state by a licensee to be suspended if he or she changes residences from a member state to a state that is not a part of the compact; allows a member state to recover the costs of investigations and disposition of cases resulting from adverse action taken against a psychologist; requires the administrator of the data system to notify any remote states where the licensee has the privilege to practice; prohibits the commission from changing laws that define the practice of psychology of a member state; if not a closed meeting, requires all minutes, documents, and recordings of meetings to be made available to members of the public upon request, at the requestor's expense; and gives the board 60 days to review a rule adopted by the commission for the purpose of filing the rule as an emergency administrative regulation.

HB 44

AN ACT relating to mental health and making an appropriation therefor.

Amends KRS 95A.220 to provide that legitimate personnel actions are not compensable as posttraumatic stress injury (PTSI); amends KRS 210.365 to make full-time and volunteer firefighters affected by PTSI or posttraumatic stress disorder (PTSD) eligible for crisis intervention team training along with law enforcement officers' currently permitted training; establishes the reference for definitions of PTSD and PTSI; requires diagnosis by psychiatrist, psychologist, or professional counselor; and allows certain mental health treatment benefits when a firefighter seeks treatment; APPROPRIATION.

HB 48

AN ACT relating to reimbursement for pharmacist services.

Creates a new section of Subtitle 12 of KRS Chapter 304 to establish certain insurance practices relating to the reimbursement of pharmacists; amends KRS 18A.225 to require the state employee health plan to comply with pharmacist reimbursement requirements; amends KRS 304.14-135 to establish a clean claim form for the reimbursement of certain pharmacist services or procedures; amends KRS 342.020 to require workers' compensation employers, insurers, and payment obligors to comply with pharmacist reimbursement requirements; and amends KRS 304.17A-844 and 304.17B-011 to conform.

HB 50

AN ACT relating to mental health parity.

Amends KRS 304.17A-660 to define "classification of benefits" and "nonquantitative treatment limitation"; amends KRS 304.17A-661 to modify mental health parity requirements; requires parity coverage for nonquantitative treatment limitations and medical necessity criteria; requires compliance with nonquantitative treatment limitations set forth in federal law; requires insurers to submit annual reports relating to the insurers' compliance with mental health parity requirements; and amends KRS 304.17A-669 to remove exemptions; EFFECTIVE January 1, 2022.

HB 53

AN ACT relating to the Advisory Council for Medical Assistance.

Amends KRS 205.540 to expand the membership of the Advisory Council for Medical Assistance to include a representative from each of the following organizations: the Kentucky Primary Care Association, the Kentucky Association of Hospice and Palliative Care, and a recognized consumer advocacy group representing a person reentering society following incarceration, and to make technical corrections; amends KRS 205.590 to revise the membership of the Technical Advisory Committee on Consumer Rights and Client Needs to remove the representative from the Kentucky Combined Committee on Aging and to add a representative from each of the following organizations: the American Association of Retired Persons Kentucky, the Family Resource Youth Services Coalition, and the Kentucky Association of Community Health Workers; expands the membership of the Technical Advisory Committee on Behavioral Health to include a representative from the Brain Injury Association of America, Kentucky Chapter; and establishes the Technical Advisory Committee on Persons Returning to Society from Incarceration.

HB 69

AN ACT relating to actuarial reporting for the state-administered retirement systems.

Amends KRS 6.350 to establish additional standards and requirements for the completion of the actuarial analysis required for bills pertaining to state-administered retirement systems, including a projection of costs/savings over 30 years rather than 20 years, completion of the analysis in a format established by the Legislative Research Commission, and the addition of a summary of relevant data and information on the front page of the analysis; and amends KRS 21.440, 61.670, and 161.400 to require the state-administered retirement systems to provide a projection/analysis over 30 years rather than 20 years regarding projections in the annual actuarial valuation and projections related to experience studies, assumption changes, and other changes made by the boards of each system.

HB 73

AN ACT relating to life insurance for members of the Kentucky National Guard.

Creates a new section of KRS Chapter 38 to require the adjutant general to facilitate the enrollment of members of the Kentucky National Guard in a state-sponsored life insurance program.

HB 75

AN ACT relating to living organ donation.

Creates a new section of Subtitle 12 of KRS Chapter 304 to define “insurance coverage” and “living donor”; prohibits certain insurance coverage determinations based upon the status of an individual as a living organ donor; amends KRS 2.240 to encourage the Cabinet for Health and Family Services to develop and circulate educational materials relating to living organ donation; provides that the Act applies to insurance policies issued, renewed, or declined on or after the effective date of the Act; and provides that the Act may be cited as the “Living Organ Donor Protection Act of 2021.”

HB 79

AN ACT relating to massage therapy.

Amends KRS 309.351 to allow licensed massage therapists to use pulsed electromagnetic field therapy or microcurrent devices for which they are trained and to prohibit them from applying ultrasounds and prescribing medication; amends KRS 309.354 to allow at least one board member to be a designated representative of a school owner or designated representative of a school director; amends KRS 309.355 to give the board the authority to hire staff for the work of the board; amends KRS 309.357 to remove the list of existing fees from statute and charge the board with promulgating administrative regulations that establish a reasonable schedule of fees for the issuance and restoration of licenses and certificates and for the renewal of licenses; establishes the conditions under which a license may be reinstated or renewed; requires the completion of 1 hour of continuing education for every 6 months a license has been in an inactive state; amends KRS 309.358 to allow licensure to be obtained through an associate's degree if the program meets the requirements of a training program approved by the board; allows the board to issue a license to practice as a massage therapist to an applicant who submits a recent color photograph; requires the board to incorporate a recent color photograph of a licensee into his or her license; requires the board to implement a fingerprint-supported national criminal record check of any applicant of licensure to practice massage therapy; amends KRS 309.361 to require licensees to complete 12 hours of continuing education instead of 24 as a condition of licensure renewal; requires 3 of the 12 hours of continuing education to be completed in ethics; amends KRS 309.362 to increase the cap on fines from \$500 to \$1,000 per violation for repeat offenders; amends KRS 309.363 to allow a school with the designation of "Approved School" to meet the qualifications of having met the requirement that it be in good standing; and amends KRS 309.3631 to require applications for the initial certificate of good standing and annual renewals to be submitted with a fee prescribed by the board.

HB 84

AN ACT relating to exemptions for disaster response businesses and employees.

Creates a new section of KRS 67.750 to 67.790 to prevent the new provisions of this Act from being construed as establishing a nexus or minimum contact for taxing purposes, except as related to disaster response businesses and employees for work performed during disaster response periods; amends KRS 68.180, 68.197, 91.200, and 91.300 to exclude the income of a disaster response employee and a disaster response business from local license fees and taxes; amends sections of KRS Chapter 141 to define new terms and to provide exemptions for disaster response employees and disaster response entities from income tax beginning on or after January 1, 2021, and before January 1, 2025; amends KRS 227.480 to exclude a disaster response business from certain permit requirements; and amends KRS 227A.030 to exclude disaster response employees and disaster response businesses licensed in another state from certain licensing requirements.

HB 87

AN ACT relating to the state-administered retirement systems.

Amends KRS 16.578 and 61.640 to apply the alternate death benefit calculation options as written prior to 2009 legislation for deaths occurring prior to retirement; amends KRS 61.540 to remove requirement that the employer and member must file a statement of facts before benefit payments can commence; amends KRS 61.542 to allow a retiree to elect to change his or her beneficiary at any time, if the retiree has selected upon retirement a basic monthly annuity payment

as defined in the subsection, a period certain payment option under KRS 61.635(5) to (7), or the Social Security adjustment option without survivorship rights under KRS 61.635(8)(a); requires a retiree to file a beneficiary change form with the retirement office; provides that a retiree may change his or her actual monthly payment option only upon marriage or remarriage and only if he or she files a beneficiary change form within 120 days of marriage or remarriage designating the new spouse as beneficiary and selecting a survivorship payment option under KRS 61.635(2) to (4) and (8)(b), with the resulting payments being actuarially equivalent to the retirement allowance provided at the date of the original retirement; amends KRS 61.545 to provide that if a member is working in a regular full-time hazardous duty position that participates in the Kentucky Employees Retirement System (KERS) or the County Employees Retirement System (CERS) and is simultaneously employed in a nonhazardous position that is not considered regular full-time with a different participating employer, the member may elect within 30 days of taking employment to not participate in the system for his or her employment in the nonhazardous position; amends KRS 61.598 to provide that the 10 percent cap on creditable compensation growth during a member's last 5 years of employment shall not apply to situations where the growth in excess of 10 percent during the entire 5-year period results in a benefit change of less than \$25 per month; amends KRS 161.520 to provide that a surviving spouse's benefits may continue upon remarriage; provides that the amendments to KRS 16.578 and 61.640 are retroactive to June 25, 2009; provides that members who retired prior to the effective date of the Act, who were married or remarried prior to the effective date of the Act and remain married or remarried to the same spouse, shall have 120 days from the effective date of the Act to select a survivorship option for their spouse under the Act; specifies that the amendment to KRS 61.545 of the Act shall apply only to prospective nonhazardous employment occurring on or after the effective date of the Act; provides that the implementation date of the amendments to 2017 Ky. Acts Ch. 32, Sec. 9(28) by the Kentucky Retirement Systems shall be December 1, 2019; and amends several statutes to make technical and conforming amendment.

HB 91

AN ACT proposing an amendment to the Constitution of Kentucky relating to abortion.

Proposes to create a new section of the Constitution of Kentucky to state that Kentucky's Constitution does not secure or protect a right to an abortion or to the funding of an abortion.

HB 95

AN ACT relating to prescription insulin.

Amends KRS 18A.225 to require the Kentucky Employee Health Plan to comply with provisions of this Act; exempts self-insured governmental plans as defined in KRS 304.17A-005; and amends KRS 304.17A-148 to cap the cost-sharing requirements for prescription insulin at \$30 per 30-day supply; EFFECTIVE January 1, 2022.

HB 98

AN ACT relating to enforcement of a lien against a storage unit occupant.

Amends KRS 359.230 to permit storage facilities to advertise lien enforcement auction notices in a commercially reasonable manner as an alternative to publication in a newspaper of general circulation.

HB 105

AN ACT relating to missing persons.

Amends KRS 39F.180 to require any agency that is searching for a lost or missing person to notify appropriate government agencies within 4 hours of receiving a missing persons report and to utilize existing resources and infrastructure in conducting the search.

HB 108

AN ACT relating to the codification of existing Medicaid cancer coverage.

Amends KRS 205.522 to require the Department for Medicaid Services and any managed care organization contracted to deliver Medicaid services in the Commonwealth to comply with KRS 304.17A-257, relating to coverage for colorectal cancer examinations and laboratory tests, and KRS 304.17A-259, relating to coverage for genetic tests for cancer risks.

HB 109

AN ACT relating to the Uniform Deployed Parents Custody and Visitation Act.

Establishes KRS Chapter 403A and creates new sections thereof to establish the Uniform Deployed Parents Custody and Visitation Act; and amends KRS 403.280, 403.320, 403.340, 403.352, and 403.353 to conform.

HB 113

AN ACT relating to the Teachers' Retirement System.

Creates a new section of KRS 161.220 to 161.716 to permit the Teachers' Retirement System (TRS) to use and accept electronic signatures as deemed appropriate; amends KRS 161.220 to add anti-salary-spiking measures to the definition of "final average salary" and provides noncodified language detailing that the change shall not increase benefits or increase liability to the system; amends KRS 161.290 to require all public employers to grant paid leave to teacher trustees serving on the TRS board; amends KRS 161.310 to specify the types of remuneration included in retirement incentives, requires that costs billed to employers for retirement incentives not be an obligation of the state, and specifies that retirement incentives shall not increase final average salary or annual compensation; amends KRS 161.340 to add insurance to the items for which TRS may contract, deletes the requirement for the procurement of fiduciary bonds for board trustees and the executive secretary, and authorizes the board to expend funds as necessary for indemnification and self-insurance; amends KRS 161.470 to specify when a member who leaves service prior to retirement is eligible for a refund and to make technical amendments; amends KRS 161.480 to automatically designate a TRS member's spouse as beneficiary for an active member's account balance upon employment until changed by the member, and to declare the member's spouse as beneficiary of the active member's account balance if all named beneficiaries predecease the active member or the member fails to designate a beneficiary; amends KRS 161.500 to specifically address service credit for contracts exceeding 185 days; amends KRS 161.515 to reference new and existing retirement factors for out-of-state service purchases; amends KRS 161.540 to specify eligibility requirements for including annual leave credit in the retirement calculation for calendar-year contracts; amends KRS 161.545 to provide that full-time sabbatical leave by university staff participating in the TRS shall be deemed full-time employment for retirement purposes and requires employee and employer contributions to be paid during the period of sabbatical leave; amends KRS 161.553 to adjust the cost schedules of providing statutory benefit improvements for annuitants; amends KRS 161.560 to adjust the methods by which

participating employers file contribution data and to set penalties for noncompliance; amends KRS 161.597 to require a refund of prior installment payments and a reduction in service credit for a member in default on installment payments; amends KRS 161.605 to provide that breaks in service are required before returning to work for the employer even if in a position is not covered by TRS, to begin running of breaks in service from date of retirement, to prohibit prearranged agreements between a retiring member and employer for a member to return to work after retirement and require certification thereof, and to require retired members returning to work for state-supported universities and community colleges to comply with the separation-from-service requirements; amends KRS 161.612 to reduce the \$500 minimum monthly disability benefit dollar-for-dollar by benefit payments from all state-administered retirement systems for part-time employees and substitute teachers participating in TRS who apply for disability benefits on or after July 1, 2021, and to specify that part-time employees and substitute teachers are not eligible to apply for a disability retirement allowance if they are eligible for an unreduced retirement benefit; amends KRS 161.614 to include mediation awards as a method that may be binding for the adjustment of a member's account; amends KRS 161.620 to specify that partial years qualify a member for 3 percent retirement factor in excess of 30 years as authorized by the TRS board; amends KRS 161.630 to distinguish that a member may cancel "indefinitely" continuing spousal benefits upon divorce, annulment, or marriage by exercising the pop-up option; amends KRS 161.643 to authorize TRS to require more frequent submission of reports and other data by participating employers who employ retired members of the system; amends KRS 161.650 to automatically designate a TRS member's spouse as beneficiary for a retired member's remaining account balance at the time of death unless changed by the member and to declare the member's spouse as beneficiary of the retired member's remaining account balance if all named beneficiaries predecease the retired member or the member fails to name a beneficiary for the account balance; amends KRS 161.655 to automatically designate a TRS member's spouse as beneficiary for the life insurance benefit available to active and retired members unless changed by the member, and to declare the member's spouse as beneficiary of the life insurance benefit available to active and retired members if, upon the death of the member, all named beneficiaries predecease the member or the member fails to name a beneficiary; amends KRS 161.661 to provide that members who begin participating on or after July 1, 2021, shall not be eligible for a disability benefit if they are eligible for any unreduced benefit and that they shall have their \$500 minimum monthly disability benefit reduced dollar-for-dollar by benefit payments from all state-administered retirement systems; and amends KRS 161.680 to detail the system's authority to collect overpayments.

HB 120

AN ACT relating to consolidated emergency services districts and making an appropriation therefor.

Creates KRS Chapter 75A, which defines terms; establishes procedures for the creation of a consolidated emergency services district; authorizes certain local government officials to appoint three members to the board of trustees of the district; provides for the election of four members of the board of trustees, qualifications of elected members, terms, nomination procedures, and removal; establishes officers of the district and compensation of officers; establishes the power to levy a property tax, subject to certain restrictions; declares that upon creation of a district, the board assumes all duties, responsibilities, and liabilities of former departments or districts, that former jurisdictions are to be special taxing districts until indebtedness is relieved, and that all interlocal agreements previously entered into shall remain in force for their duration; sets requirements

relating to the County Employees Retirement System (CERS); establishes and provides protection for members who are participants in CERS; amends KRS 65.180 to define consolidated emergency services districts as a “taxing districts”; amends KRS 75.020 to include creation of a district within the definition of “merger”; amends KRS 78.530 to allow for any, not all, districts, to be excluded from the provisions; amends KRS 95A.500 to allow the district to receive qualified shares of merged fire districts; and amends KRS 134.119 to provide that the sheriff shall be compensated for collecting taxes for consolidated emergency service districts; APPROPRIATION.

HB 125

AN ACT relating to motorcycles.

Amends KRS 15A.352 to allow out-of-state residents to take rider training courses; clarifies that applicants who are exempted from testing by virtue of passing an education course have the same wheel restrictions if they took the training on a three-wheeled motorcycle; amends KRS 15A.354 to require the instructors be reviewed every two years, instead of annually; creates a new section of KRS 186.400 to 186.640 to require the Transportation Cabinet to establish a restriction category on the motorcycle operator’s license to restrict license holders to operation of three-wheeled motorcycles only; amends KRS 186.480 to clarify the procedures for motorcycle skills testing by mandating that applicants who take the skills test on a three-wheeled motorcycle shall be issued motorcycle operator’s licenses with the three-wheeled restriction; and amends KRS 15A.350 to conform.

HB 126

AN ACT relating to crimes and punishments.

Amends KRS 194A.990, 205.8463, 238.995, 341.990, 434.650, 434.655, 434.690, 514.030, 514.040, 514.050, 514.060, 514.070, 514.080, 514.090, and 514.110 to increase the felony threshold for theft and fraud offenses to \$1,000; creates a Class B misdemeanor level for theft and fraud offenses; amends the Class A misdemeanor level to be \$500 or more but less than \$1,000; enhances the penalty for three convictions of a Class A misdemeanor to a Class D felony if the convictions occur within a 5-year period; and allows offenses that occur within 90 days to be aggregated into one offense.

HB 133

AN ACT relating to recall petitions.

Amends KRS 132.017 to specify that if a petition is filed in response to a tax rate levied by a district board of education, the petition shall be signed by at least 5,000 registered and qualified voters residing in the affected jurisdiction or signed by a number of registered and qualified voters residing in the affected jurisdiction equal to at least 10 percent of the total number of votes cast in the last preceding presidential election, whichever is less; and requires only birth month, not birthdate, to follow a petitioner’s signature.

HB 140

AN ACT relating to telehealth.

Creates new sections of KRS Chapter 211 to define terms; requires the Cabinet for Health and Family Services to establish minimum standards for telehealth services; reestablishes the requirement for the Cabinet for Health and Family Services and managed care organizations to study the impact of telehealth on the state’s health care delivery system; prohibits certain practices

in telehealth; authorizes health practitioner licensing boards to promulgate administrative regulations related to telehealth; amends KRS 194A.105 to establish additional duties of the Division of Telehealth Services; amends KRS 205.510 to define “behavioral health professional” and revise the definition of “telehealth”; amends KRS 205.559 to establish Medicaid reimbursement requirements for telehealth services; amends KRS 205.5591 to establish the duties of the Department for Medicaid Services related to telehealth services; amends KRS 304.17A-005 to revise the definition of “telehealth”; amends KRS 304.17A-138 to define terms; establishes insurance reimbursement requirements for telehealth services; amends KRS 342.315 to conform; and requires the Cabinet for Health and Family Services to seek federal approval if it determines that such approval is necessary; certain sections EFFECTIVE January 1, 2022.

HB 155

AN ACT relating to abandoned infants.

Amends KRS 405.075 to define and to allow the use of a “newborn safety device” related to the anonymous surrendering of a newborn infant in the Commonwealth at a participating staffed police station, staffed fire station, or staffed hospital.

HB 158

AN ACT relating to local air boards.

Amends KRS 183.132, relating to nonpartisan air boards composed of six members, to allow a state university operating an aviation degree program to be a constituent party to the air board through the nomination and appointment of two members, making the air board an eight-member board, with all members being appointed jointly by the constituent parties; sets initial and continuing terms of members; establishes protocols for withdrawing participation; and sets quorum.

HB 163

AN ACT relating to teacher certification.

Amends KRS 161.030 to require the Education Professional Standards Board (EPSB) to issue an emeritus certificate to a retired individual who meets specified requirements and is not subject to denial of a certificate under KRS 161.120; and creates a one-time exception certificate to be issued by the EPSB to applicants whose certificate has expired and who meet specified requirements.

HB 172

AN ACT relating to the Kentucky Real Estate Appraisers Board.

Amends KRS 324A.015 to require the board to employ state-certified general appraisers with at least 5 years of experience to conduct grievance investigations; amends KRS 324A.035 to make technical corrections; amends KRS 324A.047 and 324A.050 to clarify standards; amends KRS 324A.052 to require complaints to be filed within 5 years after the date of transmittal of the appraisal report or review assignment or at least 2 years after the final disposition of any judicial proceeding that the appraiser provided testimony related to the assignment; amends KRS 324A.065 to require the initial application fee to not exceed \$200 for federally related transactions; requires the annual certificate and licensure fees to not exceed \$200 for federally related transactions; establishes a returned-check fee of \$50 for federally related transactions; eliminates the initial application fee, examination fee, duplicate certificate fee, and roster fee for

non-federally related transactions; requires the board to promulgate administrative regulations to establish and to collect a precicensure fee not to exceed \$100 and a continuing education course review fee not to exceed \$50; amends KRS 324A.150 to include a network, list, or roster of licensed or certified appraisers to the definition of “appraiser panel”; amends KRS 324A.152 to require an appraisal management company to certify that it is not partly or fully owned by an appraiser whose license has been disciplined; amends KRS 324A.154 to require the board to promulgate administrative regulations with the approval of the executive director of the Kentucky Real Estate Authority; amends KRS 324A.164 to exclude a federally defined “federally regulated appraisal management company” from the appraisal management company statutes; and requires the time limitation for complaints inapplicable to those complaints involving the actions outlined in KRS 324A.050(1)(c), (d), (g), and (k).

HB 176

AN ACT relating to reorganization.

Confirms Auditor of Public Accounts Executive Order APA 2020-01, relating to reorganization, filed with the Secretary of State on October 15, 2020; creates the Office of the Assistant Auditor of Public Accounts; creates the Office of Local Government Audits; creates the Office of State Government Audits and Technology; creates the Office of Special Examinations; abolishes the Office of Financial Audits and transfers its duties to the Office of Local Government Audits and the Office of State Government Audits and Technology; and abolishes the Office of Technology and Special Audits and transfers its duties to the Office of Special Examinations and the Office of State Government Audits and Technology.

HB 178

AN ACT relating to the Kentucky Board of Education.

Amends KRS 156.029 to require appointments to the Kentucky Board of Education to reflect equal gender representation and proportionally reflect the Commonwealth’s political affiliation and minority racial composition; provides that members can be removed if composition requirements are not met; adds the secretary of the Education and Workforce Development Cabinet to the board as an ex officio member; adds a student and a teacher to the board as non-voting members; requires the board to promulgate an administrative regulation establishing the selection process of the teacher and student; prohibits the Governor from reorganizing the board; and amends KRS 156.040 and 63.080 to conform.

HB 179

AN ACT relating to regulatory licensing fees.

Amends KRS 243.075 to allow a county that contains a city authorized to also charge a regulatory licensing fee to charge a fee of its own; allows a county or city that held a local option election between July 15, 2014, and July 15, 2018, to impose a fee within 2 years of the date of the Act.

HB 183

AN ACT relating to the hospital rate improvement program, making an appropriation therefor, and declaring an emergency.

Amends KRS 205.6405 and 205.6406 to update provisions of the hospital rate improvement program by amending the definition of “qualifying hospital” and modifying the

calculation of a supplemental payment formula if approved by the United States Centers for Medicare and Medicaid Services; APPROPRIATION; EMERGENCY.

HB 190

AN ACT relating to the sale of grocery items by food service establishments and declaring an emergency.

Creates a new section of KRS 217.280 to 217.390 to exempt legally permitted food service establishments from any state or local laws and administrative regulations that prohibit the sale of grocery items such as bread, milk, and other grocery staples to any customer and from KRS 217.125; limits sales to no more than 25 percent of gross annual sales for the federal tax year; and prohibits any additional permit or fee unless sales are more than 25 percent of gross annual sales for the federal tax year; EMERGENCY.

HB 192

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

The State/Executive Branch Budget: Details Part I, Operating Budget; appropriates to General Government: 2019-2020: \$21,535,000, 2020-2021: \$2,233,082,500, 2021-2022: \$1,722,270,500; appropriates to the Economic Development Cabinet: 2020-2021: \$30,692,000, 2021-2022: \$30,419,200; appropriates to the Department of Education: 2020-2021: \$5,087,565,600, 2021-2022: \$5,080,946,900; appropriates to the Education and Workforce Development Cabinet: 2020-2021: \$224,230,300, 2021-2022: \$224,015,100; appropriates to the Energy and Environment Cabinet: 2019-2020: \$700,000, 2020-2021: \$301,176,900, 2021-2022: \$277,724,100; appropriates to the Finance and Administration Cabinet: 2019-2020: \$2,800,000, 2020-2021: \$992,780,800, 2021-2022: \$1,012,246,500; appropriates to the Health and Family Services Cabinet: 2019-2020: \$300,000, 2020-2021: \$17,697,378,000, 2021-2022: \$17,785,002,800; appropriates to the Justice and Public Safety Cabinet: 2019-2020: \$17,216,900, 2020-2021: \$1,269,870,200, 2021-2022: \$1,283,034,800; appropriates to the Labor Cabinet: 2020-2021: \$1,642,204,900, 2021-2022: \$760,943,200; appropriates to the Personnel Cabinet: 2020-2021: \$63,150,200, 2021-2022: \$165,770,400; appropriates to Postsecondary Education: 2019-2020: \$497,400, 2020-2021: \$8,533,136,000, 2021-2022: \$8,935,608,700; appropriates to the Public Protection Cabinet: 2020-2021: \$167,314,500, 2021-2022: \$125,951,800; appropriates to the Tourism, Arts and Heritage Cabinet: 2019-2020: \$2,700,000, 2020-2021: \$269,047,600, 2021-2022: \$276,139,700; appropriates to the Budget Reserve Trust Fund: 2020-2021: \$134,346,300, 2021-2022: \$608,598,500; not included in the appropriation amounts are capital project amounts as follows: 2019-2020: \$16,000,000, 2020-2021: \$8,905,731,500, 2021-2022: \$367,131,600; details Part II, Capital Projects Budget; details Part III, General Provisions; details Part IV, State Salary/Compensation, Benefit, and Employment Policy; details Part V, Funds Transfer; details Part VI, General Fund Budget Reduction Plan; details Part VII, General Fund Surplus Expenditure Plan; details Part VIII, Road Fund Budget Reduction Plan; details Part IX, Road Fund Surplus Expenditure Plan; details Part X, Phase I Tobacco Settlement; and details Part XI, Executive Branch Budget Summary; APPROPRIATION; VETOED IN PART; OVERRIDDEN IN PART.

HB 193

AN ACT relating to appropriations providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky.

The Transportation Cabinet Budget: Details Part I, Operating Budget; appropriates to General Administration and Support: 2020-2021: \$88,284,200, 2021-2022: \$88,669,700; appropriates to Aviation: 2020-2021: \$24,691,100, 2021-2022: \$18,530,500; appropriates to Debt Service: 2020-2021: \$147,991,400, 2021-2022: \$139,139,600; appropriates to Highways: 2020-2021: \$1,984,729,800, 2021-2022: \$2,048,386,000; appropriates to Public Transportation: 2020-2021: \$81,080,000, 2021-2022: \$40,474,500; appropriates to Revenue Sharing: 2020-2021: \$335,267,500, 2021-2022: \$341,480,300; appropriates to Vehicle Regulation: 2019-2020: \$4,265,500, 2020-2021: \$63,513,500, 2021-2022: \$64,296,400; not included in the appropriation amounts are capital project amounts as follows: 2019-2020: \$1,460,000, 2020-2021: \$14,640,000, 2021-2022: \$12,190,000; details Part II, Capital Projects Budget; details Part III, Funds Transfer; details Part IV, Transportation Cabinet Budget Summary; and amends Executive Branch Budget General Fund Surplus Expenditure Plan; APPROPRIATION; VETOED IN PART.

HB 194

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

Appropriates from the General Fund \$71,986,400 for fiscal year 2020-2021 and \$79,653,300 for fiscal year 2021-2022; appropriates from Restricted Funds \$75,000 for fiscal year 2020-2021 and \$175,000 for fiscal year 2021-2022; details Part II, General Provisions; and details Part III, Budget Reduction or Surplus Expenditure Plan; APPROPRIATION.

HB 195

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

The Judicial Branch Budget: Details Part I, Operating Budget; appropriates to Court of Justice: 2020-2021: \$442,549,100, 2021-2022: \$436,229,400; appropriates to Judicial Retirement System: 2020-2021: \$7,147,500, 2021-2022: \$7,147,500; details Part II, Capital Projects Budget; details Part III, General Provisions; details Part IV, Funds Transfer; details Part V, Budget Reduction or Surplus Expenditure Plan; APPROPRIATION; VETOED IN PART; OVERRIDDEN IN PART.

HB 196

AN ACT relating to the prohibition of patriot penalties in insurance.

Creates a new section of Subtitle 20 of KRS Chapter 304 to prohibit insurers from refusing to issue a policy of motor vehicle liability insurance, or imposing an additional premium, solely because the person is uninsured if, during the period the person was without insurance, the person was on military service and absent from the Commonwealth; requires insurers to inquire about military service upon application for insurance; and provides penalties for insurers who demonstrate a willful pattern of noncompliance.

HB 199

AN ACT relating to rights-of-way on state roads.

Amends KRS 177.106 to define “encroachment”; sets forth the requirement for an encroachment permit; gives the Transportation Cabinet the authority to order encroachments removed or remedied; allows for a civil fine for a person who encroaches upon the right-of-way of a state-maintained road without obtaining a permit; allows municipalities to collect fines for violations and use those funds for public safety or infrastructure; and repeals KRS 177.103.

HB 202

AN ACT relating to nursing.

Amends KRS 314.021 to include the practices of licensed certified professional midwives and dialysis technicians; provides clarifying language to include the Kentucky Board of Nursing’s regulatory authority; edits language to encompass general experience and practice; amends KRS 314.042 to clarify when the board may authorize a person to practice as an advanced practice registered nurse temporarily; amends the reviewing procedure for a Collaborative Agreement for the Advanced Practice Registered Nurse’s Prescriptive Authority for Nonscheduled Legend Drugs (CAPA-NS); deletes repetitive language relating to when an advanced practice registered nurse is exempt from the Collaborative Agreement for the Advanced Practice Registered Nurse’s Prescriptive Authority for Nonscheduled Legend Drugs requirement; clarifies the procedures for when an advanced practice registered nurse may obtain a controlled substance certificate; amends KRS 314.107 to allow for additional forms of correspondence; amends KRS 314.131 to grant the Kentucky Board of Nursing additional regulatory authority; and repeals KRS 314.196, relating to the Collaborative Prescribing Agreement Joint Advisory Committee.

HB 206

AN ACT relating to the Kentucky National Guard Adoption Assistance Program and declaring an emergency.

Amends KRS 36.477 to raise the amount of available assistance from the Kentucky National Guard Adoption Assistance Program; EMERGENCY.

HB 207

AN ACT relating to energy source availability.

Prohibits any executive, administrative, or legislative action that has the purpose or effect of prohibiting or otherwise limiting in any way, based upon the energy source, a consumer’s ability to use a utility service described in KRS 278.010(3)(a), (b), or (c) that is provided by a utility regulated by the Public Service Commission under KRS Chapter 278 or that is otherwise incorporated under KRS Chapter 279, or a consumer’s ability to use liquefied petroleum gas; provides that nothing in the section shall prohibit or alter the powers of the Public Service Commission or the ability of a local government to act in any other lawful way; and defines “local government.”

HB 208

AN ACT relating to education and declaring an emergency.

Provides that school districts may request approval for more than 10 student attendance days prior to March 29, 2021, under a nontraditional instruction plan related to COVID-19; requires a school district to provide in-person instruction at least 80 percent of the instructional

time consisting of a minimum of 40 percent in-person instructional time to all students to receive approval for additional nontraditional instruction plan days from March 29, 2021 through the end of the 2020-2021 school year; requires a school district to offer remote instruction to students who request it due to COVID-19; requires a school to submit a nontraditional instruction plan for the 2021-2022 school year within the Comprehensive District Improvement Plan by May 1, 2021; provides for how districts shall measure daily student participation while operating under an approved nontraditional instruction plan due to COVID-19; suspends any extended school calendar requirement for an educational program for state agency children; allows school districts to provide additional emergency leave days for staff due to COVID-19; directs the Kentucky Department of Education to seek federal waivers regarding school meal service rules in relation to COVID-19; provides that the Kentucky Board of Education may waive statewide assessment and accountability system requirements in accordance with federal waivers received; directs the Kentucky Department of Education to seek federal waivers from the Individuals with Disabilities Education Act in relation to COVID-19; allows a local board of education to revise its certified evaluation plan due to COVID-19; allows a principal to award additional educational enhancement opportunity days to students to meet obligations that occur prior to the last day of school due to COVID-19; allows school districts to e-mail required notices to school district employees; allows school districts to use the school district attendance data selected by the district pursuant to 2020 SB 177 to calculate average daily attendance; requires school districts to report attendance data for the 2021-2022 school year; allows a school to count up to 30 minutes as instructional time when used for COVID-19 related activities for in-person instruction; and makes the provisions of the Act retroactive to the 2020-2021 school year only except as provided; EMERGENCY.

HB 209

AN ACT relating to the donation of game meat.

Amends KRS 217.217 to prohibit state and local government entities from restricting the donation of game meat to or from the Kentucky Department of Fish and Wildlife Resources, any other government agency, or cooperative extension agencies for the purposes of education, promotion of hunting or fishing, or free meal distribution.

HB 210

AN ACT relating to adoption leave.

Amends KRS 337.015 to require employers to provide the same leave policies to adoptive parents as they provide to birth parents; changes the applicable age of an adoptive child from 7 years to 10 years; and creates an exemption for specified categories of adoption.

HB 212

AN ACT relating to child and maternal fatalities in the Commonwealth.

Amends KRS 211.684 to require the child and maternal fatality annual report to do a demographic analysis by race, income, and geography and to require that the annual report be sent to the Interim Joint Committee on Health, Welfare, and Family Services.

HB 219

AN ACT relating to the practice of pharmacy.

Amends KRS 217.177 to require pharmacies offering retail sale of hypodermic syringes or needles to make available educational materials, referral information for syringe exchange service

programs and substance use disorder treatment, and an offer of a naloxone prescription; removes paper recordkeeping requirements; amends KRS 218A.510 to exempt syringes and needles in a pharmacy from the definition of “drug paraphernalia”; amends KRS 315.020 to permit the retail sale of hypodermic syringes and needles without a prescription in pharmacies and to prohibit the hypodermic syringe and needle inventory of a pharmacy from being deemed drug paraphernalia; amends KRS 315.020 to permit a pharmacist, a registered pharmacy technician, and a certified pharmacy intern under supervision, credentialed in Kentucky and residing within 100 miles of the permitted pharmacy, to access the electronic database of the pharmacy in Kentucky from inside or outside the pharmacy to perform order entry, verification, or drug regimen review if controls are established; restricts to pharmacies not open to the public; and prohibits final product prescription verification from a location outside of or other than a pharmacy, receiving hard-copy prescriptions outside of the premises of a permitted pharmacy, and dispensing from a location outside of or other than a pharmacy.

HB 220

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

Amends KRS 316.030, 316.125, 316.131, and 316.210 to allow the Board of Embalmers and Funeral Directors to establish fees through the promulgation of administrative regulation; and amends KRS 316.170 to remove outdated language.

HB 226

AN ACT relating to gaming and declaring an emergency.

Amends KRS 11A.010 to include the Kentucky Horse Racing Commission in the definition of “officer”; amends KRS 11A.040 to include members of the Kentucky Horse Racing Commission in select prohibitions; amends KRS 230.230 to include members of the Kentucky Horse Racing Commission under stated parts of Executive Branch ethics requirements; amends KRS 238.505 to revise the definition of “charitable gaming facility”; amends KRS 238.536 to remove the provisions for reconsideration by the department of its actions; stipulates that subsection (2) of KRS 238.536, the “forty percent rule,” shall be waived for all charitable gaming licensees for calendar year 2020; and amends KRS 238.555 to remove licensed charitable gaming facility lease requirements, to clarify that rent shall not be based on gross receipts, and to require a licensed charitable gaming facility to file a copy of each signed lease with the department; EMERGENCY.

HB 229

AN ACT relating to the protection of agricultural animals.

Amends KRS 512.010 to include “livestock” as defined in KRS 150.010 and “poultry” as defined in KRS 246.010 in the definition of “property” for the purposes of criminal damage to property offenses.

HB 230

AN ACT relating to the taxation of the commercial mining of cryptocurrency.

Creates a new section of KRS Chapter 139 to define various terms relating to commercial mining of cryptocurrency using blockchain technology; provides sales and use tax exemptions on the electricity used in commercial mining of cryptocurrency as of the date of approved application if the facility uses no less than 200,000 kilowatt hours of electricity per month; provides a 4-year

application process from July 1, 2021, to June 30, 2025, with the exemption applying to electricity sold or purchased on or after the effective date of application but before July 1, 2030; requires the amount of the exemption to be reported by the Department of Revenue beginning on January 1, 2022, and every January 1 thereafter; amends KRS 160.613 to exempt electricity used or consumed in the commercial mining of cryptocurrency; amends KRS 160.6131 to define “colocation facility” and “commercial mining of cryptocurrency”; and amends KRS 131.190 to conform; EFFECTIVE July 1, 2021.

HB 231

AN ACT relating to the Treasury.

Amends KRS 41.010 to add definitions for “administrative body,” “agency,” “assistant,” “check,” “collateral,” “secretary,” “state depository,” and “warrant”; amends definition for “bank”; amends KRS 41.130 to require the Finance and Administration Cabinet to record all warrants in the unified and integrated system of accounts; requires the Treasurer to maintain electronic records in the unified and integrated system of accounts using specific information and readily reconcilable with the warrants issued by the Finance and Administration Cabinet; amends KRS 41.060 to require the assistant treasurer to take an oath; provides for the assistant treasurer to discharge the duties of the Treasurer under certain conditions; provides for the Treasurer to set the salary of the assistant subject to KRS Chapter 18A; amends KRS 41.280 to require the Commonwealth of Kentucky to establish and maintain a unified and integrated system of accounts to permit the Treasurer and the Finance and Administration Cabinet to determine the financial condition of the Commonwealth; requires the Treasurer to make a report of all money received and disbursed annually; amends KRS 41.320 to certify in writing the accounts and inventory of the Treasury as of the Treasurer’s last day in office; repeals KRS 41.050, 41.140, 41.150, 41.170, and 41.340; and amends various sections to conform; VETOED; OVERRIDDEN.

HB 236

AN ACT relating to fertilizer and pesticide use and application and making an appropriation therefor.

Creates new sections of KRS Chapter 217B to establish liability insurance requirements for structural pest management companies and to prohibit local regulation of pesticides; creates a new section of KRS Chapter 217B relating to structural pest management company registration and creates a \$75 registration fee; creates a new section of KRS Chapter 217B relating to structural pest management applicators; creates a \$25 registration fee for applicants; repeals and reenacts KRS 217B.040 to define terms; amends KRS 217B.050 to mandate a regulatory program for regulating application and notice of application of pesticides for lawn care and mosquito control; amends KRS 217B.060 to remove language requiring the inclusion of pesticide application equipment specifics in an application for a license; amends KRS 217B.070 to increase the pesticide operator’s license fee to \$100; amends KRS 217B.080 to remove references to equipment and to increase the pesticide applicator fee to \$25; amends KRS 217B.090 to increase the noncommercial applicator fee to \$10 and to authorize the department to issue noncommercial applicator licenses to, and waive fees for, qualifying prison inmates and other incarcerated persons; amends KRS 217B.105 to increase the dealer registration fee to \$75 and to increase the branch office fee to \$50; amends KRS 217B.120 to specify violations for which the department may assess civil penalties; repeals and reenacts KRS 217B.140 to clarify the procedures for claims of, and investigations into, pesticide misuse by an applicator; amends KRS 217B.180 to exempt licensing

and registration requirements for the use of nonrestricted use pesticides for personal domestic purposes; amends KRS 217B.185 to remove language requiring applicants for licensure to show upon examination that the applicant possesses adequate knowledge concerning the proper use and application of pesticides; increases the pesticide sales agent license fee to \$25; removes language prohibiting the making of recommendations for the use or application of pesticides; removes language prohibiting license issuance reliant upon an applicant holding a valid certification within the category; amends KRS 217B.187 to increase the trainee application fee to \$25; amends KRS 217B.193 and 217B.203 to change references to the “Commissioner” to the “department”; amends KRS 217B.270 to establish the department’s authority for the regulation of pesticides in the Commonwealth; repeals and reenacts KRS 217B.500 to define terms; amends KRS 217B.505 to reduce the number of Structural Pet Management Advisory Board members from seven to six and to require the board to meet no less than two times per year; amends KRS 217B.510 to establish the powers and duties of the board; repeals and reenacts KRS 217B.515 to establish the registration and examination requirements for any person engaging in structural pest management or structural fumigation; specifies licensing requirements for any persons holding only a termite or general pest control license or a fumigation license; establishes that licenses shall expire annually; authorizes the department to promulgate administrative regulations relating to structural pest management and structural fumigation; allows the department to assess fees for such licenses and cost related to the administration of examinations; amends KRS 217B.520 to specify the requirements for applicants for an operator’s license; amends KRS 217B.525 to specify examination requirements for commercial structural pest management operators; amends KRS 217B.530 to remove the specific amount for examination fees; authorizes the department to promulgate administrative regulations for license testing fees; specifies requirements of operator license holders; amends KRS 217B.535 to create a \$100 fee for annual structural pest management operator licenses and a \$50 fee for each office; amends KRS 217B.540, 217B.545, 217B.555, 217B.580 to make technical corrections; amends KRS 217B.550 to specify violations of KRS 217B.515 to 217B.585 for which the department may assess civil penalties; amends KRS 217B.560 to create a \$25 fee for structural pest management company trainees; amends KRS 217B.565 to authorize the department to promulgate administrative regulations on the identification of vehicles utilized by structural pest management companies; amends KRS 217B.570 to establish that each structural management company and employer of a noncommercial applicator shall be responsible for the actions of its employees or agents in performing services; amends KRS 217B.585 to specify actions for an injunction against any person violating or threatening to violate provisions of KRS Chapter 217B or any administrative regulation; amends KRS 217B.990 to establish penalties for offenses; and repeals KRS 217B.100, 217B.103, 217B.170, 217B.260, 217B.300, 217B.320, and 217B.575; APPROPRIATION.

HB 238

AN ACT relating to city utility commission membership.

Amends KRS 96.530 to allow city utility boards to consist of either three or five members, and to specify the appointment and qualifications of nonresident utility commission members for those utility commissions.

HB 249

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

Creates a new section of KRS Chapter 48 to establish the emergency disaster relief account within the road fund; creates a new section in KRS Chapter 67 to allow a tax district to share information in a refund application with certain other tax districts; amends KRS 68.197 to allow certain counties to increase or decrease the occupational license fee and set the maximum salary limit at the maximum Social Security contribution and benefit base; amends KRS 131.081 to allow the Department of Revenue to deliver copies of the agent's audit workpapers electronically to the taxpayer; amends KRS 131.190 to require reporting by the Department of Revenue; makes conforming changes; creates a new section of KRS Chapter 132 to exempt certain property of a veteran service organization; amends KRS 132.590 to adjust the total sum to be paid by a fiscal court to a property valuation administrator's office; amends KRS 138.140 to clarify that the tax on an open vaping system is assessed only on the liquid solution when the solution is sold separately from the hardware; amends KRS 138.146 to allow the amount of cigarette tax bond to be not less than the amount of the payment of units of cigarette tax evidence which may be delayed for 10 days and no greater than \$10 million; amends KRS 138.463 and 138.470 to clarify that the motor vehicle usage tax may be paid by two alternative methods and that the tax does not apply to motor vehicles registered to, or leased by, the U.S. government, the Commonwealth, or any of its political subdivisions; amends KRS 139.010 to exempt from sales and use tax the tax that would be collected on the local alcohol regulatory fee; amends KRS 139.340 and 139.450 to conform to the Streamlined Sales and Use Tax Agreement; amends KRS 141.0205 to reorder certain tax credits within the refundable and nonrefundable subsections; amends KRS 141.206 and 141.207 to remove the requirement for a pass-through entity to withhold tax on corporate partners, members, or shareholders and to eliminate the composite income tax return for individuals; amends KRS 141.383 to reduce the film industry tax credit cap and require that a project must begin production within 6 months of filing an application and complete production within 2 years of the production start date; amends KRS 141.390 to allow an extension of time for certain major recycling projects to apply; creates a new section in KRS Chapter 154, subchapter 20, to allow the secretary of the Economic Development Cabinet to consider a resident of a border state as a qualified employee for a new, full-time position essential to certain approved economic development projects; creates subchapter 61 in KRS Chapter 154 and creates various new sections within the subchapter to move the application and approval process related to the film industry tax credit to the Economic Development Cabinet, from the Tourism, Arts, and Heritage Cabinet; creates a new section of KRS Chapter 171 to allow a historic rehabilitation tax credit for one major certified rehabilitation project; amends KRS 171.396 to increase the annual tax credit cap and allocate the tax credit cap between owner-occupied residential property and other property; amends KRS 190.030 to allow the Motor Vehicle Commission to establish licensure fees by administrative regulation; amends KRS 224.60-142 to allow the registration of petroleum storage tanks through July 15, 2025; amends KRS 243.029 and 243.075 to allow the alcohol taxes to be collected by the direct shipper licensee, except for the regulatory license fee, and to impose the regulatory license fee on the direct shipper licensee; amends KRS 132.010 to conform; and repeals various sections of KRS Chapter 148 related to the film tax credit; APPROPRIATION; EMERGENCY in Section 32 of this Act; EFFECTIVE July 1, 2021, for Sections 3 to 8 and 26 to 28 of this Act; EFFECTIVE January 1, 2022, for Section 33 of this Act; VETOED IN PART; OVERRIDDEN.

HB 250

AN ACT relating to the regulation of travel-related commerce.

Establishes new Subtitle 52 in KRS Chapter 304 and creates sections relating to travel insurance; defines terms; sets forth persons that may act as a limited lines travel insurance producer; establishes requirements for the refund of certain travel protection plans; requires that certain notices and materials be provided to travel consumers; sets forth unfair trade practices relating to travel insurance; establishes requirements for travel insurers; provides for the classification and form of travel insurance; authorizes eligibility and underwriting standards for travel insurance to be developed based on travel protection plans; authorizes the commissioner to promulgate administrative regulations; amends KRS 304.9-440 to apply penalties to travel retailers; amends KRS 304.9-020, 304.9-080, 304.9-230, 304.9-421, 304.9-430, and 304.9-440 to conform; provides short title for Sections 1 to 6; and repeals KRS 304.9-475.

HB 254

AN ACT relating to the sexual exploitation of minors.

Amends KRS 531.335 to raise the penalty for possession or viewing of matter portraying a sexual performance by a minor under the age of 12 years to a Class C felony; and amends KRS 531.340 to raise the penalty for the distribution of matter portraying a sexual performance of a minor under the age of 12 years to a Class C felony for the first offense and a Class B felony for each subsequent offense.

HB 258

AN ACT relating to the Teachers' Retirement System.

Amends KRS 161.155 to provide that new nonuniversity Teachers' Retirement System (TRS) members on or after January 1, 2022, shall not have any lump-sum sick leave payments added to their foundational benefit component calculation but may have the payment deposited into the supplemental benefit component; Creates new sections of KRS 161.220 to 161.716 to specify that new members of TRS on or after January 1, 2022, shall receive a foundational benefit component, which shall be a traditional defined benefit plan with risk adjustments, and a supplemental benefit component, which shall be a plan based upon the member's account balance; provides that the cost of the foundational benefit for these new members shall be assessed annually in the actuarial valuation; provides that if the funding level of the foundational benefit component for new nonuniversity or university members falls below 90 percent, the TRS board shall make one or more of the following changes to keep foundational benefit component employer costs within 8 percent of pay for nonuniversity members and 5.755 percent of pay for university members: utilizes moneys in the stabilization reserve account from any excess contributions above costs of the new plan components for new members only, utilizes prospective mandatory employee and employer contributions from the supplemental benefit component, or adjusts the regular interest rate, benefit factor, age and service requirements to retire, or cost-of-living allowances for new members only; specifies that no retroactive benefit improvements shall be made by the TRS board for new TRS members in the new plan design; establishes the supplemental benefit component for new members who enter TRS on or after January 1, 2022, that pays benefits based upon mandatory employee and employer contributions of 2 percent of pay, voluntary employee and employer contributions, and interest on the accounts equal to the 5-year rolling yield on a 30-year Treasury bond; provides for vesting of employer contributions after 5 years; provides that a new member may take a refund, take a distribution, or annuitize their supplemental benefit

account balance into a monthly payment based upon assumptions established by the TRS board; repeals, reenacts, and amends KRS 161.220 to establish definitions for the new foundational benefit component and supplemental benefit component for new members, to extend current statutory anti-pension spiking provisions in last 3 years of employment to the last 5 years for new TRS members, and makes technical amendments to conform to a recent court decision; amends KRS 161.420 to establish a stabilization account for new plans for new TRS members; repeals, reenacts, and amends KRS 161.540 to specify employee contribution rates for new TRS members on or after January 1, 2022, which for new nonuniversity members shall be 14.75 percent of pay with 9 percent going to fund the foundational benefit component, 2 percent going to fund the supplemental benefit component, and 3.75 percent going to fund retiree health benefits, and which for new university members shall be 9.775 percent of pay with 5 percent going to fund the foundational benefit component, 2 percent going to fund the supplemental benefit component, and 2.775 percent going to fund retiree health benefits; specifies the level of reduction to the retiree health contribution once the retiree health fund achieves 100 percent funding; repeals, reenacts, and amends KRS 161.550 to conform language to a recent court decision and specifies the actual fixed employer rates being paid; provides that the maximum employer contribution rate for new members on or after January 1, 2022, shall be 10.75 percent for nonuniversity members with 8 percent going to fund the foundational benefit component, 2 percent going to fund the supplemental benefit component, and 0.75 percent going to fund retiree health benefits, and shall be 9.775 percent for university members with 5.775 percent going to fund the foundational benefit component, 2 percent going to fund the supplemental benefit component, and 2 percent going to fund retiree health benefits; specifies the level of reduction to the employer retiree health contribution once the retiree health fund achieves 100 percent funding; repeals, reenacts, and amends KRS 161.600 to provide that new nonuniversity members on or after January 1, 2022, shall be eligible to retire with no reduction in benefits upon attaining age 65 with 5 years of service, age 60 with 10 years of service, or age 57 with 30 years of service or with a reduced benefit at age 57 with 10 years of service; repeals, reenacts, and amends KRS 161.605 to provide that new TRS members on after January 1, 2022, who retire and return to work in a TRS-eligible position shall not earn benefits in a second retirement account and makes technical and conforming amendments; repeals, reenacts, and amends KRS 161.620 to provide that new nonuniversity TRS members shall receive a benefit factor in the foundational benefit of 1.7 percent up to 2.4 percent based upon the member's age and years of service, and new university TRS members shall receive a benefit factor in the foundational benefit of 0.7 percent up to 1.4 percent based upon the member's age and years of service; amends KRS 161.655 to increase the life insurance benefit for new members on or after January 1, 2022, from \$2,000 to \$5,000 during active employment and from to \$5,000 to \$10,000 after retirement; amends KRS 161.661 to provide that TRS shall determine disability benefits by administrative regulation for new TRS members on or after January 1, 2022; provides that the TRS board shall make recommendations to the Public Pension Oversight Board on how and when to distribute actuarial gains to restore previously reduced benefits in the foundational benefit component or distribute additional contributions to the supplemental benefit component; repeals, reenacts, and amends or repeals and reenacts or amends, or amends numerous statutes to make technical and conforming amendments and to conform to a recent court decision; repeals KRS 161.235; and for Sections 1 to 4, establishes an effective date of January 1, 2022; VETOED; OVERRIDDEN.

HB 261

AN ACT relating to fraud against the Kentucky Public Pensions Authority.

Amends KRS 61.685 to make a person liable for civil penalties if he or she knowingly submits false or fraudulent claims or fails to report or remit required money, records, or property to the Kentucky Public Pensions Authority (KPPA) in order to obtain retirement benefits from any of the retirement systems administered by the KPPA; defines “person” and “knowingly” for purposes of the Act; provides civil penalties, including restitution of the payments received as a result of fraud, a penalty of as much as 3 times the amount of the excess payments, a penalty of \$500 for each false or fraudulent claim submitted, and recovery of all legal fees and costs of the investigation and enforcement of civil remedies; requires that, at the request of the KPPA, the Attorney General investigate and enforce the provisions of the Act and may recover the reasonable costs of litigation as determined by the court and provided by KRS 48.005; provides that civil payments, costs, and interest be made payable to the State Treasurer and remitted to the KPPA for deposit in the affected systems’ trusts consistent with the methods used to distribute administrative expenses between the trusts; and provides that the remedies provided by the Act be separate from and cumulative to any other remedy available to the KPPA.

HB 265

AN ACT relating to sheriffs’ tax settlements.

Amends KRS 132.192 to require sheriffs in counties with a population of less than 70,000 to provide a complete statement of funds and expenditures for the preceding calendar year to the fiscal court by March 15 of each year; and creates a new section of KRS Chapter 134 to require the annual sheriff’s tax settlement audit to be one audit for the period of September 1 to August 31 and include taxes collected on real estate, tangible personal property, unmined coal, oil and gas reserve, other mineral or energy resources, public service corporations, and any other ad valorem collections for which a collection schedule has been completed, delinquent tax claims have been filed, and settlements have been prepared; EFFECTIVE January 1, 2022.

HB 272

AN ACT to relating to utility services.

Creates a new section of KRS Chapter 278 to allow a water district formed pursuant to KRS Chapter 74 or a water association formed pursuant to KRS Chapter 273 to charge a late payment; specifies that the late payment charge meet certain requirements; prohibits the Public Service Commission from modifying, rejecting, discontinuing, abolishing, or suspending late payment charges; provides that any late payment charge imposed by a water district or water association shall be waived for any bill or portion of a bill for which a customer has received third-party billing assistance through the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program or other public or charitable source; creates a new section of KRS Chapter 39A to prohibit departments or officers of state government during a declared emergency from issuing any order that conflicts with the classification by the U.S. Department of Homeland Security of employees of utilities and other entities subject to KRS Chapters 58, 65, 74, 76, 96, 220, 278, or 279 as essential or critical infrastructure workers; and prohibits any current or future order issued by any department or officer of state government during a declared emergency from remaining in effect or taking effect that would prohibit or impair a utility subject to or created under KRS Chapter 96 from terminating service for a customer’s nonpayment of a utility bill or

assessing or collecting penalties for nonpayment or delinquent payments; VETOED; OVERRIDDEN.

HB 273

AN ACT relating to public records and declaring an emergency.

Amends KRS 61.878 to exclude from the Open Records Act photographs or videos that depict a person's death, killing, rape, or sexual assault or abuse except to any victim involved in the incident, the victim's immediate family, any involved insurance company, a legal representative for any involved party, or any state agency or political subdivision investigating official misconduct; provides that a person under investigation or accused of a crime related to the underlying incident shall not have access to the photographs or videos; establishes that public agencies shall not be required to produce copies of recordings; and provides that the Act be cited as the Bailey Holt-Preston Cope Victims Privacy Act; EMERGENCY.

HB 275

AN ACT relating to the State Investment Commission.

Amends KRS 42.500 to replace the Governor with the state controller as a member of the State Investment Commission; VETOED; OVERRIDDEN.

HB 276

AN ACT relating to temporary nurse aides and declaring an emergency.

Creates a new section of KRS Chapter 205 to require the Department for Medicaid Services to accept the employment of temporary COVID-19 personal care attendants as meeting necessary training for state registered nurse aides; requires the Department for Medicaid Services to apply for any Medicaid waivers or state plan amendments necessary; incorporates the provisions into the nurse aide training and competency evaluation program requirements; and requires the department to promulgate any necessary administration regulations; EMERGENCY.

HB 277

AN ACT relating to operator's licenses for the military.

Amends KRS 186.430 to exempt the Kentucky operator's license requirement in order that a member of the Armed Forces stationed in Kentucky, his or her spouse, and his or her child or stepchild aged 16 or older and a dependent or under guardianship of the member, may drive on a valid operator's license issued by the person's state or U.S. territory of domicile; and amends KRS 186.416 to establish the proof of eligibility documents required to obtain a veterans designation on an operator's license or personal identification card.

HB 278

AN ACT relating to Paycheck Protection Program loans and declaring an emergency.

Amends KRS 141.017, 141.019, and 141.039 to allow the same tax treatment for Kentucky income tax purposes as for federal income tax purposes under Pub. L. No. 116-260, secs. 276 and 278 related to forgiven covered loans and the tax attributes and deductions associated with those loans; applies to taxable years ending on or after March 27, 2020, but before January 1, 2022; EMERGENCY.

HB 303

AN ACT relating to underground facility protection.

Amends KRS 367.4903 to redefine “approximate location,” “Kentucky Contact Center,” “operator,” and “working day”; defines “fiber-to-premises,” “locate request number,” “locator,” “person,” “positive response,” “second notice,” “tolerance zone,” “unique identification number,” “untonable facility,” and “work site contact”; amends KRS 367.4909 to require a positive response from operators of underground facilities; establishes the timing of operator responses; adds an unmapped or untonable facility request response time frame and a fiber-to-premises broadband deployment excavation locate request response time frame; amends KRS 367.4911 to allow agreed-upon excavation start dates; changes excavation site to not exceed 5,000 feet in length; provides when mechanized equipment can be used in the tolerance zone; provides that if an operator of underground facilities other than one transporting gas or hazardous liquids or transmitting electricity fails to respond to locate requests and to update the positive response system, the excavator shall not be liable for damages resulting from the operator’s failure to comply with the duties provided in the Underground Facility Damage Prevention Act of 1994; amends KRS 367.4913 to require contact centers to maintain certain locate request information for 5 years; changes the composition of the Kentucky Contact Center board of directors; and amends KRS 367.4917 to impose penalties on the employer if the violation is committed in the scope of employment and to provide that the Public Service Commission shall establish a written agreement form to deviate from the locate request dates provided for in the Underground Facility Damage Prevention Act of 1994; EFFECTIVE January 1, 2022.

HB 307

AN ACT relating to cannabinoid products.

Amends KRS 218A.010 to exclude certain cannabinoid products from the definition of “marijuana.”

HB 310

AN ACT relating to crimes and punishments and declaring an emergency.

Amends KRS 403.720, 456.010, and 510.037 to clarify that inchoate offenses are included in statutory offenses; amends KRS 439.340 to require notice and hearings prior to parole of persons convicted of a class D felony classified as a sex crime under KRS 17.500; amends KRS 504.110 to refer certain violent criminal defendants who are incompetent to stand trial with no substantial probability of attaining competency to a new type of involuntary commitment to be created in KRS Chapter 202C; creates definitions; assigns guardian ad litem; establishes hearing procedures and commitment criteria; establishes a schedule and procedures for review hearings; creates procedures and protections for patients; allows for promulgation of administrative regulations; and amends KRS 31.110 to conform; EMERGENCY.

HB 312

AN ACT relating to public records.

Amends KRS 7.119 to permit any resident of the Commonwealth to request or inspect records in custody of the Legislative Research Commission or the General Assembly; requires the director of the Legislative Research Commission to determine whether to comply with a public records request within 5 days; requires the director to notify the requestor of his or her decision in writing; requires the Legislative Research Commission to review any appeal of the director’s

decision within 30 days of the first scheduled meeting held following receipt of the request to review; requires that any decision made by the Legislative Research Commission pertaining to review is final and unappealable; exempts from disclosure certain records under the custody of the Legislative Research Commission or General Assembly; prohibits any member of the Legislative Research Commission, any member of the General Assembly, or any employee of the Legislative Research Commission from disclosing any record denied by the Legislative Research Commission; requires that any disclosure of a denied record be subject to violation under KRS 6.734; requires a public agency that receives a request pertaining to the Legislative Research Commission to notify the director of the Legislative Research Commission within 2 days of the request; requires the director of the Legislative Research Commission to notify any member of the General Assembly of a request pertaining to that particular member within 1 day of receipt of the request; amends KRS 61.870 to define “resident of the Commonwealth”; amends KRS 61.872 to allow any resident of the Commonwealth to request public records through written application by fax, mail, e-mail, or hand delivery; prevents any public agency from requiring a particular form to request public records, but requires an agency to accept any request submitted on the form created by the Attorney General; allows the records custodian to require a written statement from an individual or entity that they qualify as a resident of the Commonwealth; amends KRS 61.876 to require a public agency to display a copy of its rules and regulations pertaining to open records requests, contact information of its records custodian, and a copy of a records request application form developed by the Attorney General, in a prominent location or on its Web site; prohibits the Finance and Administration Cabinet from promulgating administrative regulations pertaining to public records requests for the Legislative Research Commission or Administrative Office of the Courts; requires the Attorney General to promulgate by administrative regulation a form that can be used for any public records request; amends KRS 61.878 to exempt all public records or information prohibited by state law from the Open Records Act; exempts from the Open Records Act any client or case files maintained by the Department of Public Advocacy or any entity contracting with the Department of Public Advocacy for the purpose of legal representation; and amends KRS 61.880 to extend the deadline for a public agency to determine whether it will comply with a public records request to 5 days; VETOED; OVERRIDDEN.

HB 320

AN ACT relating to the provision of broadband services, and making an appropriation therefor.

Creates a new section of KRS Chapter 278 to allow a distribution cooperative to facilitate the operation of an affiliate engaged exclusively in the provision of broadband service to unserved or underserved households and business and requires the Public Service Commission to promulgate administrative regulations regarding pole attachments prior to December 31, 2021; and amends KRS 278.5462 to require a broadband service provider to ensure adequate broadband services in a manner to prevent any outage that is more than intermittent in nature; APPROPRIATION; VETOED IN PART; OVERRIDDEN.

HB 321

AN ACT relating to revenue.

Requires the Department of Revenue to adhere to any extension of the 2020 federal income tax return filing or payment for Kentucky income tax purposes; creates new sections of KRS Chapter 65 to provide incremental revenue tax incentives to the West End Opportunity

Partnership; amends KRS 131.190 to require reporting by the Department of Revenue; amends KRS 138.146 to modify the bond provisions for cigarette tax; creates a new section of KRS Chapter 141 to provide an income tax credit for certain residents; amends KRS 141.0205 to order the new tax credit; and amends 2021 Regular Session HB 249/VO to modify the provisions of the certified rehabilitation tax credit.

HB 325

AN ACT relating to cannabidiol products.

Creates a new section of KRS 217.005 to 217.215 to establish labeling requirements for cannabidiol products.

HB 328

AN ACT relating to advertising devices and declaring an emergency.

Repeals, reenacts, and amends KRS 177.830 to redefine “advertising device” and to define “compensation”; repeals, reenacts, and amends KRS 177.841 to establish that the section does not apply to directional or other official signs; repeals, reenacts, and amends KRS 177.860 to set forth devices that are not a violation; authorizes the Transportation Cabinet to establish permit fees; requires the Transportation Cabinet to promulgate administrative regulations no later than August 1, 2021; repeals, reenacts, and amends KRS 177.863 relating to on-premise advertising; and repeals and reenacts KRS 177.842, 177.850, 177.867, 177.870, 177.880, and 177.890; EMERGENCY

HB 331

AN ACT relating to removal of local school board members.

Amends KRS 156.132 to eliminate the ability of the commissioner of education or the Kentucky Board of Education to remove a local school board member; and amends KRS 156.136, 158.785, 160.345, 160.470, and 160.1592 to conform.

HB 349

AN ACT relating to legislative committees.

Amends KRS 11.202, 304.13-340, 304.50-160, 341.240, 342.035, 342.1223, 342.230, 342.342, 342.765, and 342.817 to change the name of the committee of the General Assembly which shall receive agency reports.

HB 363

AN ACT relating to disabled license plates.

Amends KRS 186.042 to allow the parent or guardian of a disabled minor or disabled adult to obtain a disabled license plate.

HB 370

AN ACT relating to special license plates and making an appropriation.

Amends KRS 186.041 to specify the proof of eligibility documents that a veteran or his or her spouse must present in order to obtain a special military license plate; amends KRS 186.162, regarding special license plates, to reiterate that the county clerk’s fee charged is the standard clerk’s fee for vehicle registration; establishes the Distinguished Flying Cross, the Air Medal, the Combat Action Badge, and the Combat Infantry Badge license plates; establishes the POW/MIA

Awareness license plate; removes requirements of designation of valor for eligibility for the Bronze Star license plate; establishes extra fees for the firefighters special license plate to benefit the Kentucky Firefighters Association; establishes extra fees for the Masonic special license plate to benefit the Masonic Homes of Kentucky; sets fees and directs extra fees for the POW/MIA plate to benefit the Veteran's Program Trust Fund; sets fees for special license plates established under KRS 186.164; clarifies language for issuance of special motorcycle license plates upon request of the sponsoring organization; eliminates the requirement for a special motorcycle license plate to have 300 signatures; requires perpetual production of newly established plates; and amends KRS 186.040, 186.164, and 186.166 to conform; APPROPRIATION.

HB 372

AN ACT relating to tax incentives.

Creates a new section of KRS Chapter 139 to provide a sales and use tax exemption for data centers; establishes reporting requirements for the exemption; defines terms; creates a new section of KRS Chapter 141 to provide an income tax credit for a remote worker; amends KRS 141.0205 to order the tax credit; and amends KRS 131.190 to conform; EFFECTIVE July 1, 2021, for Section 1 of the Act; VETOED.

HB 382

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

Amends KRS 96.895 to equally distribute certain moneys among each fund-eligible county and to eliminate certain duplicative reporting requirements; amends KRS 96.905 to prohibit moneys to be used for operational expenses by fund-eligible counties and to require a concurrence letter from each legislative body entitled to receive money; approves and ratifies Executive Order 2021-093 dated February 11, 2021, for the limited purpose of facilitating the receipt of federal funds related to that emergency; amends 2021 Regular Session House Bill 320/EN; appropriates moneys in fiscal year 2021-2022 to the SEEK budget unit to provide full-day kindergarten; appropriates moneys in fiscal year 2021-2022 for payment of interest and principal related to advances under Title XII of the Social Security Act during calendar year 2021; appropriates moneys in fiscal year 2021-2022 to the Office of Kentucky Nature Preserves; appropriates moneys in fiscal year 2021-2022 to the Kentucky Heritage Council for the Kentucky African American Heritage Commission; appropriates moneys in fiscal year 2021-2022 to the Justice Administration budget unit for one-time costs to reestablish the Northern Kentucky Regional Medical Examiner's Office and for the operations of the Northern Kentucky Regional Medical Examiner's Office; APPROPRIATION; EMERGENCY.

HB 386

AN ACT relating to water pollution control and declaring an emergency.

Creates new sections of subchapter 16 of KRS Chapter 224 to require that mixing zones for bioaccumulative chemicals of concern established on or before September 8, 2004, remain in effect until explicitly extinguished by the Energy and Environment Cabinet; requires that any change or extinguishment of mixing zone assignments for bioaccumulative chemicals of concern be accomplished only through the promulgation of administrative regulations; defines "rapid and complete mixing"; and requires the Energy and Environment Cabinet to apply rapid and complete

mixing when establishing certain permit limitations and conditions for discharges that occur through a submerged high-rate multi-port diffuser or outfall structure; EMERGENCY.

HB 389

AN ACT relating to dependency, neglect, and abuse.

Amends KRS 620.140 to create procedures for informal adjustment of certain dependency, neglect, and abuse cases.

HB 392

AN ACT relating to voluntary energy cost assistance funds.

Amends KRS 278.287 to change the eligibility threshold for participation in a voluntary energy cost assistance fund from 110 percent of the federal poverty guidelines to the percentage of the federal poverty guidelines required for eligibility in the subsidy component of the Low-Income Home Energy Assistance Program.

HB 393

AN ACT relating to water district commissioners and declaring an emergency.

Amends KRS 74.020 to allow the Public Service Commission to grant reasonable extensions of time not to exceed 6 months for water district commissioners to complete their training requirements; and amends KRS 74.363 to conform; EMERGENCY.

HB 394

AN ACT relating to the Fish and Wildlife Resources Commission and declaring an emergency.

Amends KRS 150.021 to make the Fish and Wildlife Commission's authority to appoint and compensate a commissioner not subject to the provisions of KRS Chapters 42, 45, 45A, 56, and 64; amends KRS 150.061 to give the Fish and Wildlife Commission the sole authority to appoint and determine compensation for a commissioner; provides that the commission is the sole contracting body for the purposes of KRS Chapter 45A; and requires any proposed personal services contract with a commissioner to be submitted for review to the Government Contract Review Committee pursuant to KRS 45A.690 to 45A.725; EMERGENCY; VETOED; OVERRIDDEN.

HB 398

AN ACT relating to reorganization.

Amends KRS 40.300 to create the Office of Kentucky Veterans' Centers, Office of Veteran Legal Services, and Office of Kentucky Veterans' Services within the Office of the Commissioner within the Department of Veterans' Affairs; confirms Executive Order 2020-823; and amends KRS 40.325 to conform.

HB 402

AN ACT relating to flagrant nonsupport.

Amends KRS 530.050 raising the threshold for flagrant nonsupport from \$1,000 to \$2,500.

HB 404

AN ACT relating to child support.

Creates a new section of KRS Chapter 403 to establish adjustments to a child support obligation based upon parenting time that becomes effective March 1, 2022; amends KRS 403.211 to increase the amount of an extraordinary medical expense from \$100 to \$250; amends KRS 403.212 to update the child support table guidelines table, define and provide for a self-support reserve, and include an exclusion from certain calculations for children who receive public assistance; amends KRS 406.031 to decrease the time liability for child support shall attach in a paternity action from 4 years to 2 years; amends KRS 620.090 to establish an action for child support when a court issues a temporary order for child custody; and amends KRS 403.160 and 620.230 to conform.

HB 405

AN ACT relating to appropriations and declaring an emergency.

Appropriates funds for the payment of claims against the Commonwealth; appropriates \$4 million from various fund sources to the Attorney General's office for additional personnel; appropriates \$1,754,400 of General Fund moneys to the Kentucky State Police forensic laboratory personnel to move to a 40-hour work week; appropriates \$20 million of General Fund moneys to the Department for Community Based Services to support prevention services for families; ~~appropriates \$37 million of Federal Funds to the Justice Administration budget unit to provide grants related to COVID-19;~~ *(vetoed in accordance with veto message)* appropriates \$10 million of General Fund moneys to the School Facilities Construction Commission to assist local school districts with repairs of facilities destroyed by a flood; ~~appropriates \$2 million of Federal Funds to the Attorney General for fraud investigation and other consumer violations;~~ *(vetoed in accordance with veto message)* appropriates \$133,000 of Restricted Funds to the Proprietary Education budget unit; appropriates \$12 million of General Fund moneys to the Department for Community Based Services to provide a \$2-per-child increase in the Child Care Assistance Program provider reimbursement rate; ~~requires General Fund moneys in the amount of \$902,200 under the Office of State Budget Director budget unit to lapse to the Budget Reserve Trust Fund Account if federal funds received from the American Rescue Plan Act of 2021 are allotted, expended, or appropriated without the express authority of the General Assembly;~~ *(vetoed in accordance with veto message)* requires the Department of Corrections to pay each contracted provider of substance abuse, mental health, and reentry centers a minimum of 65 percent of the contracted beds monthly and any contracted, but unfilled contracted beds as of the date of this Act may, at the discretion of the provider, be terminated; requires a report from the Department of Education with options on how to ensure the equitable transfer of education funds; creates the School Funding Task Force for the upcoming interim; and amends 2021 RS HB 192/EN, the State/Executive Branch Budget, to modify the pay schedule for Kentucky State Police; APPROPRIATION; EMERGENCY; VETOED IN PART.

HB 413

AN ACT relating to unemployment insurance.

Creates a new section of KRS 341 to implement a reporting requirement regarding the unemployment trust fund and wages subject to tax; amends KRS 341.030 to suspend any increase in the taxable wage base and utilize the taxable wage base in effect for the 2020 year; amends KRS 341.270 to indicate that employer contribution rates in 2021 ~~and 2022~~ *(vetoed in*

accordance with veto message) shall be determined using the rates listed in Schedule A of Table A; amends KRS 341.530 to provide that benefits related to a state of emergency or disaster declaration shall be paid from the pooled account and not the reserve account of the employer; amends KRS 341.614 to provide there will be no surcharge assessment for 2021 [~~or 2022~~] (*vetoed in accordance with veto message*); creates the Unemployment Insurance Reform Task Force and establishes membership and sets forth duties; and applies certain sections retroactively; EMERGENCY; VETOED IN PART.

HB 415

AN ACT relating to alcoholic beverages and declaring an emergency.

Amends KRS 241.010 to add malt to the definition of “rectifier”; amends KRS 243.027 to clarify requirements to hold direct shipper license, allows the usage of a third party to fulfill orders, requires licensees to send in a copy of their license each year on renewal, requires licensees to register with the Department of Revenue, and allows Kentucky manufacturers with a direct shippers license to send samples under certain conditions; amends KRS 243.028 to conform with third-party shipments; amends KRS 241.060 to clarify administrative regulation for direct shipper license application, and requires regulation amendment by January 1, 2022; amends KRS 243.020 to allow for third-party shipments and to remove limitations on storage; amends KRS 243.029 to remove parameters for establishing wholesale cost; amends KRS 243.0305 to allow a distillery to report and pay wholesale taxes directly effective January 1, 2022, define “wholesale sales,” require souvenir packages to be made available to Kentucky licensed wholesalers, and clarify which sales distillers are required to physically transfer product; amends KRS 243.100, 243.220, 243.380, 243.390, and 243.450 to exempt direct shipper licensees from requirements therein; amends KRS 243.110 to specify that a brewer, microbrewery, distilled spirits and wine supplier, and malt beverage supplier may also hold a direct shipper license; amends KRS 243.120 to remove prohibition against transportation of distilled spirits or wine on the same truck with malt beverages; amends KRS 243.130 to allow rectifiers to purchase malt from brewers in or out of the United States; amends KRS 243.240 to include distillery gift shops for retailers to purchase; amends KRS 243.790 to remove retail outlets from specifications; amends KRS 243.884 to include distillery and direct shipper licensees in wholesale tax and set specifications; amends KRS 244.220 to set requirement for special licenses; and amends KRS 243.886 to include distillery licensees; EMERGENCY.

HB 419

AN ACT relating to physician assistants.

Amends KRS 311.844, regarding physician assistants who are authorized pursuant to KRS 311.858(5) to prescribe and administer schedule III, IV, or V controlled substances, to correct the minimum hours of approved continuing education needed to renew a physician assistant’s license.

HB 421

AN ACT relating to reorganization.

Amends KRS 42.0147 to delete the Division of Special Investigations; amends KRS 42.0171 to create the Office of Budget and Fiscal Management in the Office of Administrative Services, which consists of the Division of Budget and the Division of Fiscal Management; deletes the Division of Support Services; provides that the Divisions of Human

Resources, Postal Services, and Fleet Management report to the executive director of the Office of Administrative Services; amends KRS 42.724 to delete the Offices of Project Management, Field Services, and KY Business One Stop; renames the Office of IT Services and Delivery the Office of Infrastructure Services; renames the Office of IT Architecture and Governance the Office of Architecture and Governance; renames the Division of Enterprise Portfolios the Division of Enterprise Solutions; renames the Division of Applications the Division of Mainframe Services; renames the Division of Support Services the Division of Geographic Information Systems; renames the Division of Enterprise Governance the Division of Governance and Strategy; creates the Office of Client Support Services consisting of the Division of Field Services and the Division of Support Services; amends KRS 42.742 to require the division of Geographic Information Systems to support the Geographic Information Advisory Council; amends KRS 42.744 to require geographic information to be sent to the Division of Geographic Information Systems; amends KRS 131.020 to create the Special Investigations Division and the Division of Information Management in the Office of the Commissioner; renames the Office of Processing and Enforcement the Office of Registration and Operations; deletes the Division of Collections and the Division of Application Development and Support; renames the Division of Registration and Data Integrity the Division of Registration; creates the Office of Enforcement; confirms Executive Order No. 2020-0994, dated November 25, 2020; and amends KRS 42.650, 42.738, 42.742, 42.744, and 116.200 to conform.

HB 427

AN ACT relating to the Kentucky Opioid Abatement Advisory Commission, making an appropriation therefor, and declaring an emergency.

Creates new sections of KRS Chapter 15 to establish the Kentucky Opioid Abatement Advisory Commission, name members to the commission, outline duties and responsibilities of the commission, provide for the distribution of certain possible settlement moneys, and establish the opioid abatement trust fund; APPROPRIATION; EMERGENCY.

HB 429

AN ACT relating to administrative regulations.

Creates a new section of KRS Chapter 13A to be numbered as KRS 13A.215 to permit administrative bodies to use an administrative regulation management application meeting specified criteria; revises KRS 13A.040 to address technical corrections to administrative regulations; amends KRS 13A.3104 to require an agency to review and file a certification letter in the year prior to an administrative regulation's expiration date; amends KRS 158.6471 to grant the Education Assessment and Accountability Review Subcommittee (EAARS) the same powers, process, and procedures relating to reviewing administrative regulations as the Administrative Regulation Review Subcommittee (ARRS) and allows EAARS to request the same professional and clerical support as ARRS; adds a special procedure for EAARS review; and grants EAARS the same powers as other legislative committees reviewing administrative regulations with subject matter jurisdiction.

HB 435

AN ACT relating to claims against an estate.

Amends KRS 396.011 to change to statute of limitations for claims against an estate; and repeals KRS 396.012.

HB 438

AN ACT relating to Medicaid provider credentialing.

Amends KRS 205.532 to revise the definition of “credentialing verification organization”; deletes the definition of “request for proposals”; deletes the requirement that the Department for Medicaid Services contract with a credentialing verification organization; permits Medicaid managed care organizations to participate in a credentialing alliance; requires the department to recognize a credentialing alliance; establishes duties of a credentialing alliance; requires the department to discontinue any contract with a credentialing verification organization if more than 60 percent of Medicaid managed care organizations join a credentialing alliance on or before December 31, 2021; and requires the department to give significant weight to the timeliness of credentialing when evaluating a managed care organization response to a request for proposals.

HB 439

AN ACT relating to vision testing for motor vehicle operators and making an appropriation therefor.

Amends KRS 186.577 to require vision testing for operator’s license renewal; allows vision testing to be performed at the time of application; allows an applicant to submit a form attesting that they have submitted to a vision test less than 12 months from the application date; requires that any vision testing form submitted shall be completed by a vision specialist, osteopath, physician, or advanced practice registered nurse; directs the Transportation Cabinet to promulgate administrative regulations; allows the Transportation Cabinet to assess a fee for administering on-site vision testing; requires that any funds received from the fee assessed by the cabinet for vision testing be deposited into the photo license account; and amends KRS 186.480 and 174.056 to conform; EFFECTIVE, July 1, 2024; APPROPRIATION.

HB 448

AN ACT relating to child welfare.

Amends KRS 600.020 to expand the definition of “qualified mental health professional” as it relates to licensed clinical social workers, licensed marriage and family therapists, licensed registered nurses, and credentialed professional counselors.

HB 465

AN ACT relating to the acquisition by utilities of assets used to provide water or sewer utility service.

Creates a new section of KRS Chapter 278 to define “accumulated depreciation,” “asset acquisition price,” “net original cost,” and “water or sewer system”; establishes the criteria by which the Public Service Commission determines for ratemaking purposes the value of an asset acquired by a utility that is used to provide water or sewer service; allows a utility that has entered into an agreement to acquire water or sewer utility assets to apply to the Public Service Commission for an order declaring the value of the acquired assets for ratemaking purposes; allows the acquiring utility to seek an order declaring the value of the acquired water or sewer utility assets as part of its first application for a change in base rates following the acquisition of the assets; requires the acquiring utility to provide notice of its application for a declaratory order to the local governing bodies where the water or sewer system to be acquired is located or where it provides service and to the customers of the acquired systems if required by the governing documents of the acquired systems; requires the acquiring utility to post on its Web site or social

media, if such Web sites or social media exist, additional information to educate and inform the public and all affected customers of the acquisition; provides that the Public Service Commission consider intervention requests made under the section in accordance with the commission's administrative regulations addressing intervention generally; and allows the acquiring utility as part of any application for a change in base rates following the acquisition of water or sewer utility assets to propose to unify the rate structure of the acquired system with its remaining customer base.

HB 472

AN ACT relating to child abuse and declaring an emergency.

Amends KRS 413.249, relating to civil actions arising from childhood sexual assault or abuse, to apply to direct perpetrators as well as entities who may be criminally liable for the criminal acts of those perpetrators; specifies the use of evidentiary privileges; limits the use of the clergy-penitent privilege; specifies that the amendments enacted in 2017 Ky. Acts Ch. 114, sec. 2 shall be applied retroactively to actions accruing before that Act's effective date of June 29, 2017; amends KRS 500.050 to extend the criminal statute of limitations for misdemeanor sex offenses against minors from 5 to 10 years; and provides for severability; EMERGENCY.

HB 475

AN ACT relating to occupational safety and health.

Creates a new section of KRS Chapter 338 to prohibit the Kentucky Occupational Safety and Health Standards Board or the secretary from adopting or promulgating an occupational safety and health administrative regulation that is more stringent than the corresponding federal provision; and allows the cabinet to retain authority to promulgate and enforce regulations pertaining to public employees; VETOED; OVERRIDDEN.

HB 492

AN ACT relating to child welfare.

Amends KRS 194A.030 related to the duties and reporting of the Office of the Ombudsman and Administrative Review within the Office of the Secretary within the Cabinet for Health and Family Services and what information is provided to the Attorney General; amends KRS 620.100 to establish a requirement that allows that separate counsel is available to advise a cabinet employee in court anytime that the cabinet employee is required to be in court; amends KRS 620.142 to establish custodial, permanency, and service options available to a relative or fictive kin caregiver; amends KRS 620.360 to expand the rights of foster parents in court proceedings if a child is currently in their care and there are no issues of maltreatment; and amends KRS 625.060 related to a foster parent's standing in a court case as long as the child has been with the foster parent at least 6 months and there are no issues of maltreatment.

HB 495

AN ACT relating to reorganization.

Amends KRS 12.020, 15A.020, 196.026, and 196.070 to reorganize the Justice and Public Safety Cabinet; confirms Executive Order 2020-561; and adds education and experience requirements for the director of the Division of Forensic Services.

HB 497

AN ACT relating to persons convicted of crimes.

Creates new sections of KRS Chapter 196 to require the Department of Corrections (DOC) to issue to released prisoners documentation of their criminal history, institutional history, other relevant information, and a certificate of employability; requires DOC to assist prisoners with writing resumes; creates a Class B misdemeanor for a person who falsely claims to have a certificate of employability; requires DOC to submit an annual report to the Governor and General Assembly; creates a new section of KRS Chapter 205 to require the Cabinet for Health and Family Services to prioritize provision of Medicaid benefits to prisoners 30 days prior to release upon receipt of a Medicaid Section 1115 waiver; and amends KRS 205.2005 to exempt all individuals residing in Kentucky from the application of 21 U.S.C. sec. 862a(a).

HB 509

AN ACT relating to reorganization.

Amends KRS 12.020 to rename and create divisions within the Department of Insurance; amends KRS 304.2-020 to conform; and confirms Executive Order 2020-1028.

HB 513

AN ACT relating to sheriffs fees.

Creates a new section of KRS Chapter 70 to require that any local government placing any fee, tax, or license on the property tax bill shall negotiate a collection of up to 4.25 percent for any sheriff collecting this fee, tax, or license.

HB 518

AN ACT relating to the State Fair Board and declaring an emergency.

Creates a new section in KRS Chapter 247 to establish procurement procedures; amends KRS 247.090 to authorize the Commissioner of Agriculture to appoint members of the State Fair Board, amends board membership and appointing authority; amends KRS 247.100 to establish corporate powers of the State Fair Board, attaches the State Fair Board to the Tourism, Arts, and Heritage Cabinet solely for administrative purposes; amends KRS 247.110 to set procedures of the board; amends KRS 247.130 to establish hiring and management procedures; amends KRS 247.145 to authorize administrative regulations for operation, maintenance, or use of property; amends KRS 247.160 to establish control of property; amends KRS 247.165 to exempt the state fairgrounds and exhibition center from license taxes; amends KRS 247.190 to permit the State Fair Board to receive tax revenues; and requires the Auditor of Public Accounts to report to the Legislative Research Commission; EMERGENCY; VETOED; OVERRIDDEN.

HB 542

AN ACT relating to certain weather-related emergencies and declaring an emergency.

Ratifies Executive Order 2021-093 and makes its expiration date 60 days from February 11, 2021; and ratifies Executive Order 2021-136 and makes its expiration date 60 days from the effective date of the Act; EMERGENCY

HB 556

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

Creates a new section of KRS Chapter 65 to appropriate \$10 million to the West End Opportunity Partnership, conditioned upon receipt of certain funding from private sector investors and a consolidated local government; creates new sections in KRS Chapter 148 to provide for the Harrodsburg Sestercentennial Commission and the Kentucky State Parks Centennial Commission; amends KRS 197.045 and 532.100 to provide certain performance-based funding in certain situations for jails; appropriates \$30 million to the Community Services and Local Facilities budget unit to be used for both sentencing credits and the per diem amount for inmates enrolled in and attending evidence-based programs; appropriates various amounts from various sources in fiscal year 2021-2022 to the Justice Administration budget unit, Court Operations and Administration budget unit, Community Services and Local Facilities budget unit, Facilities and Support Services budget unit, and School Facilities Replacement and Renovation Fund; amends certain provisions of the Judicial Branch Budget, 2021 Regular Session HB 195/VO; and requires reporting by the Court of Justice to the Interim Joint Committee on Appropriations and Revenue by September 1, 2021; APPROPRIATION; EMERGENCY; VETOED IN PART.

HB 563

AN ACT relating to education.

Amends KRS 157.350 to allow the inclusion, beginning July 1, 2022, of nonresident pupils in a district's average daily attendance; establishes interscholastic eligibility rule for students utilizing the new nonresident enrollment option; amends KRS 158.120 to require a local board of education to adopt a nonresident student policy and forbid discrimination among nonresident students and file those policies with the Kentucky Department of Education; requires the Kentucky Department of Education to submit a report by August 1, 2021 concerning options to ensure that a school district's local effort funds follow a student to the district in which the student is enrolled; creates new sections in KRS Chapter 141 to establish the Education Opportunity Account Program; defines terms and eligibility for the program; establishes the requirements of the account-granting organizations and the Department of Revenue; allows auditing of account-granting organizations by the Department of Revenue; creates a tax credit for taxes imposed by KRS 141.020, 141.040, and 141.0401 for taxable years beginning on or after January 1, 2021, but before January 1, 2026; requires the tax credit to have an annual cap of \$25 million; requires reporting to the Interim Joint Committee on Appropriations and Revenue; creates short title; amends KRS 141.0205 to order the tax credit; and amends KRS 131.190 to allow reporting by the Department of Revenue; VETOED; OVERRIDDEN.

HB 574

AN ACT relating to elections and making an appropriation therefor.

Amends various sections of KRS Chapters 39A, 48, 65, 83A, 116, 117, 118, 118A, 119, 120, 132, 242, and 424 relating to paper ballots, voting equipment, voting systems, election education, voter registration, mail-in and in-person absentee voting and procedures, county board of election appointments, precinct election officer qualifications, consolidated precincts, mail-in absentee online portal for mail-in ballot application requests, drop-box or receptacle for mail-in absentee ballots, voter assistance requirements, extension of time for reviewing and processing mail-in absentee ballots and procedures related, recanvass thresholds, penalties for furnishing

mail-in absentee ballots when not permissible, requirements for who can exercise control over a completed mail-in absentee ballot and penalties prescribed, prohibiting tax dollars from being used to influence public opinion for ballot questions, bona fide candidates, filing deadline for nonpolitical party candidates of the General Assembly, recount procedures and threshold requirements, election contests, and elections; and repeal KRS 117.381 and 117.387, relating to electronic voting systems.

HCR 25

A CONCURRENT RESOLUTION supporting civic education and declaring the third week in September as the kick-off week for America's Legislators Back to School Program, and encouraging participation in the "Principal for a Day" program.

Declares the General Assembly's support of civic education, declares the third week in September as the kick-off week for America's Legislators Back to School Program, and encourages members to participate in the "Principal for a Day" program.

HCR 81

A CONCURRENT RESOLUTION to fully support Future Vertical Lift, a vital modernization initiative of the Department of Defense and the United States Army.

Encourages full support of the Department of Defense and U.S. Army's Future Vertical Lift program, a vital modernization initiative, and reaffirms the critical importance of these aviation platforms on the Commonwealth of Kentucky and the readiness of the United States Military.

HJR 57

A JOINT RESOLUTION directing the Cabinet for Health and Family Services to establish a work group to assess the feasibility of implementing a bridge insurance program, to review current Temporary Assistance for Needy Families expenditures, and to consider opportunities for public-private partnerships to better meet the needs of public assistance beneficiaries; and directs the Cabinet for Health and Family Services to establish a work group to assess the feasibility of implementing a bridge insurance program, to review current Temporary Assistance for Needy Families expenditures, and to consider opportunities for public-private partnerships to better meet the needs of public assistance beneficiaries.

HJR 77

A JOINT RESOLUTION ratifying emergency executive orders and declaring an emergency.

Requires that all COVID-19 related executive orders, administrative regulations, other directives issued by the Governor or pursuant to his authority, or agencies or boards under the Governor's authority, not specifically extended by the Act to be of no further force or effect as of the effective date of the Act; ratifies specific emergency executive orders, emergency executive actions, and emergency administrative regulations relating to COVID-19 expiring either in 90 days, in 30 days, or on the effective date of the Act; provides that nothing in the Act shall be interpreted to allow state agencies to remain closed for regular in-person business; adds language providing that the intention of the resolution is not to impair or delay the ability of the Commonwealth to receive any federal stimulus or pandemic-related funds; and makes technical corrections; EMERGENCY; VETOED; OVERRIDDEN.

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Bowling, Jamie S., Kentucky Board of Education - SR 215
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Casada, Dr. Rodney W., Board of Directors of the Employers Mutual Insurance Authority - SR 86
Chandler, Kent Alan, Public Service Commission - SR 85
Cheatham II, George Carlisle, Board of Trustees of the County Employees Retirement System - SR 205
Chester-Burton, Beverly Denise, Kentucky Housing Corporation Board of Directors - SR 181
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Cornish, Alfonso, University of Louisville Board of Trustees - SR 172
Daniels, Raymond Anthony, University of Kentucky Board of Trustees - SR 168

Denham Jr., Mitchel B., Kentucky Housing Corporation Board of Directors - SR 223
Edwards, Elijah Daye, Education Professional Standards Board - SR 159
Farris, Eric G., Council on Postsecondary Education - SR 247
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Poe, Randolph J., Kentucky Board of Education - SR 112
Polites, Thomas G., Department of Workers' Claims - SR 79

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Porter, Diane Lilly, University of Louisville Board of Trustees - SR 171
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