

# **General Assembly Action 2013 Regular Session**

Informational Bulletin No. 241

**Legislative Research Commission**  
Frankfort, Kentucky

**April 2013**



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**A Staff Summary of Legislative Enactments**

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## Foreword

The 2013 Regular Session of the General Assembly convened Tuesday, January 8, 2013, and adjourned *sine die* Tuesday, March 26, 2013, having met for 30 legislative days. During the session, 673 bills and 474 resolutions were introduced, including 216 Senate bills and 457 House bills.

Of the bills introduced, 44 Senate bills and 86 House bills passed both chambers and were delivered to the Governor. The Governor exercised his veto authority in two House bills, and one veto was overridden. Therefore, a total of 44 Senate bills and 85 House bills became law.

The Governor also received five joint and concurrent resolutions.

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

Robert Sherman  
Director

Legislative Research Commission  
Frankfort, Kentucky  
April 2013



## Bill Numbers to Acts Chapters

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 1	131	SB 120	22	HB 125	81	HB 260	36
SB 2	120	SB 122	72	HB 126	47	HB 261	92
SB 3	132	SB 125	24	HB 145	48	HB 269	93
SB 8	133	SB 128	110	HB 148	49	HB 272	117
SB 13	121	SB 150	73	HB 149	114	HB 273	61
SB 15	101	SB 151	122	HB 150	50	HB 279	111
SB 18	102	SB 152	123	HB 153	51	HB 281	62
SB 21	12	SB 188	74	HB 161	82	HB 290	39
SB 27	103	SB 202	75	HB 162	31	HB 295	125
SB 32	13			HB 164	83	HB 313	94
SB 34	6	SJR 14	76	HB 167	32	HB 315	63
SB 46	3	SCR 35	9	HB 172	52	HB 319	37
SB 50	134	SCR 123	23	HB 173	33	HB 320	95
SB 52	4			HB 174	34	HB 338	96
SB 56	14	HB 1	40	HB 176	53	HB 340	64
SB 59	15	HB 3	25	HB 177	115	HB 343	65
SB 61	104	HB 7	1	HB 179	54	HB 354	126
SB 64	105	HB 8	26	HB 180	55	HB 361	97
SB 66	68	HB 11	27	HB 181	84	HB 366	118
SB 67	16	HB 27	112	HB 182	56	HB 378	98
SB 69	106	HB 39	41	HB 184	57	HB 385	127
SB 72	17	HB 41	77	HB 192	58	HB 390	128
SB 75	107	HB 45	42	HB 205	85	HB 427	66
SB 78	69	HB 49	28	HB 207	59	HB 430	7
SB 83	18	HB 51	113	HB 212	116	HB 431	99
SB 84	19	HB 54	124	HB 217	2	HB 433	129
SB 93	10	HB 60	29	HB 219	35	HB 440	119
SB 95	70	HB 63	43	HB 220	86	HB 441	38
SB 96	108	HB 66	78	HB 221	8	HB 445	67
SB 97	11	HB 69	79	HB 222	87		
SB 98	20	HB 100	44	HB 232	88	HJR 45	100
SB 103	5	HB 102	45	HB 234	60	HCR 109	130
SB 107	109	HB 104	80	HB 238	89		
SB 110	71	HB 109	30	HB 240	90		
SB 114	21	HB 120	46	HB 252	91		





## Senate Bills

### SB 1

AN ACT relating to governmental operations and declaring an emergency.

Establishes KRS Chapter 117A and creates new sections thereof to adopt the Uniform Military and Overseas Voters Act, to define terms, to designate certain military and overseas voters as “covered voters” for purposes of the Act, to apply provisions to elections for federal, state, and local offices and ballot measures, to require the Secretary of State to develop an electronic transmission system through which a covered voter may apply for and receive absentee ballots and other elections information, to permit the Secretary of State to delegate duties under KRS Chapter 117A to the State Board of Elections, to assign the voting precinct for overseas voters as the voting precinct of the last place of residence in the state, or if no longer valid, to an assigned address in the same precinct, to require the Secretary of State to promulgate administrative regulations covering the procedures for assigning an address, to permit a covered voter to register to vote using the federal postcard application or its electronic equivalent or the declaration accompanying a federal write-in absentee ballot, to permit a covered voter to apply for a specified ballot using either the regular absentee ballot application or the federal postcard application or its electronic equivalent or the declaration accompanying a federal write-in absentee ballot, to consider as timely an application for a specified ballot if the ballot is received by the close of business hours seven days before the election, to establish time periods for ballots to be transmitted to covered voters, to require that ballots be received by the time established for the closing of the polls for the ballots to be valid, to permit a covered voter to use a federal write-in absentee ballot for all offices and ballot measures for covered elections, to require that valid ballots be counted if received by the time established for the closing of the polls and that a ballot not be rejected for a late or missing postmark, to require that all specified ballots be accompanied by a signed declaration that a material misstatement of fact may be grounds for a conviction of perjury, to require the Secretary of State to implement an electronic system to allow covered voters to determine if their ballot application and ballot have been received and accepted, to establish procedures for collecting and handling electronic-mail addresses from covered voters, to require that sample ballots be prepared at least 50 days before an election and that they include all ballot measures and offices that are expected to be on the ballot, to require sample ballots to be posted on Internet Web sites and given to requesting voters, to establish that failure to satisfy a nonsubstantive requirement does not invalidate a document submitted under the chapter, that notarization and authentication are not required, and that if the intention of the voter is discernible then the ballot must be accepted as a valid vote, to permit a court to issue injunctive or other equitable relief to ensure compliance with the chapter, to provide that the Act should be construed with consideration of need to promote uniformity of the law among states that enact the Uniform Act, and to establish that KRS Chapter 117A modifies the federal act governing electronic signatures to the extent permitted; amends KRS 117.079 to conform; amends 117.085 to conform and to permit uniformed-service voters and overseas voters to submit absentee ballot applications, and receive absentee ballots, by facsimile or by an electronic transmission system, and to prohibit the information contained in an application for an absentee ballot to be made public until after election day; amends KRS 117.086 to conform and to prohibit lists of persons who return absentee ballots to be made public until after election day; amends KRS 118.740 to require proclamations or writs of election in special elections to be forwarded to the sheriff at

least 56 days before the election and for the sheriff to give notice at least 49 days before the election; amends KRS 118.770 to require petitions and certificates of nomination to be filed at least 49 days before the election; creates a Military and Overseas Voting Assistance Task Force to study the election laws and absentee ballot procedures of the Commonwealth relating to military and overseas voters; directs the task force to submit a report to the Legislative Research Commission by November 27, 2013; creates a new section of KRS Chapter 141 to allow a qualified taxpayer or donor to receive a tax credit for donating edible agricultural products to nonprofit food programs, sets the tax credit amount at 10 percent, describes the forms required to be used to record donation information, and describes the standards for estimating the value of donated edible agricultural products, and to allow a tax credit to be carried forward to subsequent years and requires the sunset of the tax credit after four years; amends KRS 141.0205 to specify the order in which the food donation credit and the qualified farming operation credit may be taken; establishes an effective date of July 1, 2014, for the Uniform Military and Overseas Voters Act; EMERGENCY for the KRS Chapter 118 provisions relating to special elections.

## **SB 2**

AN ACT relating to retirement.

Creates new sections of KRS Chapter 7A to establish the Public Pensions Oversight Board to review, analyze, and provide oversight to the General Assembly on the benefits, administration, investments, funding, laws and regulations, and any legislative proposals relating to the Kentucky Retirement Systems, and to set the commission membership, authority, and duties; creates a new section of KRS 16.505 to 16.652 to establish the hybrid cash balance plan for members of the State Police Retirement System, hazardous members of the Kentucky Employees Retirement System, and hazardous members of the County Employees Retirement System who begin participating in these systems on or after January 1, 2014, to make the hybrid cash balance plan benefit for these members equal to the members' accumulated account balance that includes member contributions, an employer pay credit of 7.5 percent of salary, and interest credits on the member contributions and employer pay credits, to set the annual interest credit in the hybrid cash balance plan for actively contributing members at 4 percent plus 75 percent of the five-year geometric average investment returns of the systems net of fees and expenses above 4 percent, to set the annual interest credit at 4 percent for members who are not contributing to the plan but who retain an account balance, to permit upon termination of employment the members in the hybrid cash balance plan with less than five years of service to take a refund of accumulated contributions and permit these members with five or more years of service to take a refund of their accumulated account balance, to make members participating in the hybrid cash balance plan eligible to retire at age 60 with at least five years of service or at any age with 25 or more years of service, and to permit a member in the hybrid cash balance plan upon reaching retirement eligibility to take a refund of the accumulated account balance, or to have the accumulated account balance annuitized based upon the assumptions set by the system at the member's retirement date, or to take an actuarially reduced annuitized payment under one of the other payment options currently available to all members of the retirement systems; creates a new section of KRS 61.510 to 61.705 to establish the hybrid cash balance plan for non-hazardous members of the Kentucky Employees Retirement System and the County Employees Retirement System who begin participating in these systems on or after January 1, 2014, to make the hybrid cash balance plan benefit for these members equal to the members' accumulated account balance that includes member contributions, an employer pay credit of 4 percent of

salary, and interest credits on the member contributions and employer pay credits, to set the annual interest credits in the hybrid cash balance plan for actively contributing members at 4 percent plus 75 percent of the five-year geometric average investment returns of the systems net of fees and expenses above 4 percent, to set the annual interest credit at 4 percent for members who are not contributing to the plan but who retain an account balance, to permit upon termination of employment the members in the hybrid cash balance plan with less than five years of service to take a refund of accumulated contributions and permit members in the hybrid cash balance plan with five or more years of service to take a refund of the accumulated account balance, to make members participating in the hybrid cash balance plan eligible to retire at age 65 with at least five years of service or if they have a years-of-age and service total of 87 years, with a minimum age of 57, to allow a member in the hybrid cash balance plan upon reaching retirement eligibility to take a refund of the accumulated account balance, or to have the accumulated account balance annuitized based upon the assumptions set by the system at the member's retirement date, or to take an actuarially reduced annuitized payment under one of the other payment options current available to all members of the retirement systems; creates a new section of KRS 61.510 to 61.705 to require KERS, CERS, and SPRS employers to pay the actuarial cost of increases in compensation greater than 10 percent earned by the employee during the last five fiscal years of employment if the increase is not due to a bona fide promotion or career advancement, to define "bona fide promotion or career advancement," to establish an appeal process for employers aggrieved by a decision of the systems, to require the systems to make a binding decision for employers as to whether a decision will be considered a bona fide promotion or career advancement, to allow employers to pay costs over one year, and to exempt compensatory payments from employer cost calculation; creates a new section of KRS 61.510 to 61.705 to require the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System, including the hybrid cash balance plans administered within these systems, to comply with federal law benefit maximums governing pension plans and to establish procedures for benefit estimations and adjustments to those benefits upon actual retirement based upon final pay information; creates a new section of KRS 21.345 to 21.580 to establish the hybrid cash balance plan for members of the Legislators' Retirement Plan and the Judicial Retirement Plan who begin participating in these systems on or after January 1, 2014, to make the hybrid cash balance plan benefit for these members equal to the members' accumulated account balance that includes member contributions, an employer pay credit of 4 percent of salary, and interest credits on the member contributions and employer pay credits, to set the annual interest credits in the hybrid cash balance plan for actively contributing members at 4 percent plus 75 percent of the five-year geometric average investment returns of the systems net of fees and expenses above 4 percent, to set the annual interest credit at 4 percent for members who are not contributing to the plan but who retain an account balance, to permit upon termination of employment the members in the hybrid cash balance plan with less than five years of service to take a refund of accumulated contributions and permit members in the hybrid cash balance plan with five or more years of service to take a refund of the accumulated account balance, to make members participating in the hybrid cash balance plan eligible to retire at age 65 with at least five years of service or if they have a years-of-age and service total of 87 years, with a minimum age of 57, and to permit a member in the hybrid cash balance plan upon reaching retirement eligibility to take a refund of accumulated account balance, or to have the accumulated account balance annuitized based upon the assumptions set by the system at the member's retirement date, or to take an actuarially reduced annuitized payment under one of the

other payment options current available to all members of the retirement systems; amends KRS 6.505 to limit the inviolable contract for new members who begin participating in the Legislators' Retirement Plan on or after January 1, 2014, to the benefits accrued and to define benefits accrued for new members as the member's accumulated account balance, to clarify that the General Assembly may continue to have the authority to amend benefits for members participating prior to January 1, 2014, for those benefits the General Assembly had the authority to amend prior to the effective date of the Act, to modify the employee contribution rate to the Legislators' Retirement Plan for those members who begin participating in the plan on or after January 1, 2014, to have 5 percent dedicated toward funding pension benefits and 1 percent dedicated toward funding retiree health benefits, and to prohibit a retribution of a refund for legislative service in KERS that is purchased in the Legislative Retirement Plan on or after January 1, 2014, from being used to determine the member's participation date in the plan; amends KRS 6.515 and 21.370 to remove service purchase provisions for members of the Legislators' Retirement Plan and the Judicial Retirement Plan who begin participation in the plans on or after January 1, 2014; amends KRS 6.520 and KRS 21.400 to prohibit their application to members who begin participating in the Legislators' Retirement Plan or the Judicial Retirement Plan on or after January 1, 2014; amends KRS 6.521, KRS 21.450, and KRS 61.691 to allow cost-of-living adjustments for members of the Legislators' Retirement Plan, the Judicial Retirement Plan, the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System if the individual system or plan has a funding level greater than 100 percent and subsequent legislation authorizes the use of the surplus funds to provide a COLA or the General Assembly appropriates sufficient funds or directs the payment of funds to fully prefund the COLA in the year it is provided, and to require the system to advise the General Assembly 30 days prior to even-numbered sessions as to whether a system or plan has surplus assets to fund a COLA and the amount needed to prefund a COLA over the biennium if no surplus funds are available; amends KRS 6.525 to cross-reference the hybrid cash balance plan and definitions applicable to the hybrid cash balance plan for new members of the Legislators' Retirement Plan, and to make conforming amendments to reciprocity provisions for new members in the Legislators' Retirement Plan; amends KRS 6.577 and 21.427 to set a retiree health benefit for members of the Legislators' Retirement Plan and the Judicial Retirement Plan who begin participating in the plans on or after January 1, 2014, of \$10 per month for each year of service credit and that increases by 1.5 percent annually, to require at least 180 months of service credit for members to be eligible for the insurance benefits and provide exceptions for disability and death in the line of duty benefits, and to clarify that no spouse, dependent, or beneficiary of a member who began participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014, shall receive a subsidy for health benefits except in the case of in the line of duty death; amends KRS 21.345 to define "accumulated contributions," "accumulated account balance," and "accumulated employer credit"; amends KRS 21.360 to modify the employee contribution rate to the Judicial Retirement Plan for those members who begin participating in the plan on or after January 1, 2014, to have 5 percent dedicated toward funding pension benefits and 1 percent dedicated toward funding retiree health benefits; amends KRS 21.380 to set the normal retirement age for a member who began participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014, to age 65 with no adjustments; amends KRS 21.385 to make conforming amendments; amends KRS 21.410 to provide that a member who began participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014, shall



receive a disability benefit that is the higher of 20 percent of the member's final rate of pay or the member's actual benefit at his or her normal retirement date based upon his or her accumulated account balance in the hybrid cash balance plan; amends KRS 21.420 to establish death before retirement and death after retirement benefits for surviving spouses, dependent children, and beneficiaries of members who begin participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014; amends KRS 21.425 to remove dependent child benefit provisions for members who begin participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014; amends KRS 21.460 to allow members who begin participating in the Legislators' Retirement Plan or Judicial Retirement Plan on or after January 1, 2014, to take a refund of their accumulated contributions or accumulated account balance upon termination of employment; amends KRS 21.480 to limit the inviolable contract for new members who begin participating in the Judicial Retirement Plan on or after January 1, 2014, to the benefits accrued and to define benefits accrued for new members as the member's accumulated account balance, and to clarify that the General Assembly may continue to have the authority to amend benefits for members participating prior to January 1, 2014, for those benefits the General Assembly had the authority to amend prior to the effective date of this Act; amends KRS 21.525 to require the hybrid cash balance plans to operate as another benefit tier with the Legislators' Retirement Plan and the Judicial Retirement Plan; amends KRS 16.505, KRS 61.510, and KRS 78.510 to define "accumulated employer credit" and "accumulated account balance"; amends KRS 16.555, KRS 16.543, KRS 61.570, and KRS 78.630 to change the name of the member contribution account in KERS, CERS, and SPRS to the member account; amends KRS 16.560, KRS 61.575, and KRS 78.640 to conform the member account language in KERS, CERS, and SPRS to the new hybrid cash balance plan and to make technical changes; amends KRS 16.565, KRS 61.580, and KRS 78.650 to require the employer pay credits and interest on those credits in the hybrid cash balance plan to be paid from the retirement allowance accounts of KERS, CERS, and SPRS; amends KRS 16.576, KRS 16.577, and KRS 61.559 to prohibit application of the retirement benefit calculations and retirement eligibility provisions under these sections to members participating in the hybrid cash balance plan on or after January 1, 2014; amends KRS 16.578 and KRS 61.640, regarding death before retirement benefits, to conform to the new hybrid cash balance plan for new members of KERS, CERS, and SPRS; amends KRS 16.582 to provide that new hazardous members of KERS, CERS, and SPRS participating in the hybrid cash balance plan shall receive a disability benefit equal to the higher of the member's retirement allowance calculated under the hybrid cash balance plan or 25 percent of the member's final rate of pay; amends KRS 16.652, KRS 61.692, and KRS 78.852 to limit the inviolable contract for new members who begin participating in the system on or after January 1, 2014, to the benefits accrued and to define benefits accrued for new members as the member's accumulated account balance, and to clarify that the General Assembly may continue to have the authority to amend benefits for members participating prior to January 1, 2014, for those benefits the General Assembly had the authority to amend prior to the effective date of this Act; amends KRS 61.545, 61.552, KRS 61.555, and KRS 78.540 to remove the purchase of service credit provisions for members who begin participating in KERS, CERS, and SPRS in the hybrid cash balance plan on or after January 1, 2014, with the exception of omitted service, recontributions of refunds, and military service if called to active duty while working; amends KRS 61.546 and 78.616 to remove the additional service credit awarded for accumulated sick leave upon retirement for members who begin participating in KERS, CERS, and SPRS in the hybrid cash balance plan on or after

January 1, 2014; amends KRS 61.565 to eliminate the current policy goal, established by HB 1 in 2008, to phase in to the full actuarially required contribution rates for KERS and SPRS over time and to require employers to fully fund the actuarially required contribution for these funds effective with FY 2014-2015, to reset the amortization period for the payment of the unfunded liability for KERS, CERS, and SPRS to a new 30-year period, and to require the systems to determine a biennial employer rate for KERS and SPRS effective July 1, 2014; amends KRS 61.592 to remove the ability to convert nonhazardous service to hazardous duty service for members participating in the hybrid cash balance plan on or after January 1, 2014, and to make technical changes; amends KRS 61.595 to prohibit application of retirement benefit calculations and retirement eligibility provisions under this statute to KERS, CERS, and SPRS members participating in the hybrid cash balance plan on or after January 1, 2014, and to delete language which is reestablished in the Act; amends KRS 61.605 to provide that new non-hazardous members of KERS and CERS participating in the hybrid cash balance plan shall receive a disability benefit equal to the higher of the member's retirement allowance calculated under the hybrid cash balance plan or 20 percent of the member's final rate of pay; amends KRS 61.615 to make changes to disability provisions governing discontinuance of benefits and the ability of the recipient to elect "early retirement" since early retirement provisions are no longer applicable to new members participating in the hybrid cash balance plan on or after January 1, 2014; amends KRS 61.625 to make technical and conforming changes and to clarify that a member convicted of a felony related to employment shall still only receive a refund of his or her accumulated contributions; amends KRS 61.635 to eliminate the actuarial equivalent refund option for members participating in the hybrid cash balance plan on or after January 1, 2014, and to remove a retirement allowance payment option specific to legislators; amends KRS 61.645 to change the KRS board of trustees composition by adding four new trustees, including one additional CERS trustee, one trustee appointed by the Governor from a list of three individuals recommended by the Kentucky League of Cities, one trustee appointed by the Governor from a list of three individuals recommended by the Kentucky Association of Counties, and one trustee appointed by the Governor from a list of three individuals recommended by the Kentucky School Board Association, and to require the systems to post on their Web sites and make available upon request information regarding the systems' financial and actuarial condition that is easily understood by the members, retired members, and the public; amends KRS 61.680 to provide that members who begin participating in the hybrid cash balance plan in KERS, CERS, and SPRS on or after January 1, 2014, shall be able to utilize reciprocity provisions; amends KRS 78.530 to remove the alternate participation plan, which allows the agency purchases of past service for the member and the ability of new agencies to join CERS under the alternate participation where they purchase service for members; amends KRS 61.546 and KRS 78.616 to remove sick leave service credit provisions for members who begin participating in the hybrid cash balance plan in KERS, CERS, and SPRS on or after January 1, 2014; amends KRS 16.165, KRS 16.601, KRS 16.645, KRS 61.535, KRS 61.621, KRS 61.650, KRS 61.690, KRS 78.540, and KRS 78.545 to conform; affirms that the COLA for July 1, 2012, and July 1, 2013, for LRP, JRP, KERS, CERS, and SPRS that was suspended by the biennial branch budgets will continue to be suspended notwithstanding the provisions of this Act; requires Kentucky Retirement Systems to notify CERS members of the new CERS trustee position and to ensure the trustee position is filled no later than November 1, 2013; effective July 1, 2013.

**SB 3**

AN ACT relating to exemption of religious organizations from the insurance code.

Amends KRS 304.1-120, containing exclusions from the requirements of the insurance code, to delete the religious publication exclusion and substitute a religious organization exclusion, to prescribe the language of a notice informing participants in health sharing that sharing of medical expenses is not insurance, to require inclusion of the notice for delivery to all participants on specified documents, and to require the participant to acknowledge the notice on the application with his or her signature.

**SB 8**

AN ACT relating to school safety.

Creates a new chapter of KRS 158 to require adoption and annual review of a school emergency plan, with plan and diagram of the school facility provided to appropriate first responders, to specify that the emergency plan and facility diagram are not subject to open records requests, to require emergency drills within the first month of school and January, and to require an annual report to the Department of Education; amends KRS 158.163 to require safety drills within the first month of school and January; amends KRS 158.164 to require a lockdown practice with local law enforcement to assist, to occur within the first month of school and January; creates a new chapter of KRS 158 to require local boards to review Crime Prevention Through Environment Design principles when constructing/renovating school buildings, to require the Department of Education to develop protocols to notify schools of prior offenses of a student per KRS 610.345, and to encourage chiefs of police and sheriffs to receive training on school and student safety and to be invited to meet annually with school superintendents to discuss emergency plans and response concerns; amends KRS 160.345 to require school councils to adopt emergency plans.

**SB 13**

AN ACT relating to alcoholic beverages.

Amends KRS 241.010 to define “qualified historic site” and other terms, and to replace references to prohibition or its discontinuance with the terms wet, dry, and moist throughout KRS Chapters 241 to 243; amends KRS 241.065 and 241.075 to clarify quota retail drink and package licenses in cities of the first class and consolidated local governments; creates new sections of KRS Chapter 242 to move jurisdiction over local option elections relating to racing associations and small farm wineries to that chapter; creates a new section of KRS Chapter 242 to provide that moist territory resulting from a special limited local option election shall remain dry in every respect except for the specific type of sales authorized by the election proposition, and to permit the territory to hold another election on the same question to return to dry status; amends KRS 242.020 to add petition language, to delete the Social Security number requirement for each voter who signs a petition for a local option election, and to validate petition wording that substantially complies with the statutory petition wording; repeals and reenacts KRS 242.070 to allow the committees favoring or opposing the local option proposition to certify challengers; repeals and reenacts KRS 242.090 to make the regular precinct officers serve as local option precinct officers; amends KRS 242.120 to create a recanvass procedure for local option elections consistent with the recanvass procedure used for primaries and regular and special elections; amends KRS 242.123 to establish the petition language for a golf course local option election; moves golf course licensing language to KRS Chapter 243; repeals and reenacts

KRS 242.1232 as a new section of KRS Chapter 243 to require compliance with KRS Chapter 344 by local option golf courses; amends KRS 242.1242 to establish the petition language for a qualified historic site local option election; moves qualified historic site licensing language to KRS Chapter 243; repeals and reenacts KRS 242.1244 to establish the petition language for a limited 50 seat or 100 seat restaurant local option election, and to move limited 50-seat and 100-seat restaurant licensing language to KRS Chapter 243; repeals and reenacts KRS 242.125 to clarify and modernize language; amends KRS 242.127, 242.1292, 242.1297, 242.190, 242.200, 242.220, 242.300, 242.430, and 243.075 to conform with new wet, dry, and moist nomenclature, to establish the petition language for a city of the second class local option election to become fully wet, and to change the five year waiting period between local option elections in a city of the second class or city of the third class to the default waiting period of three years; repeals, reenacts, and amends KRS 242.1295 as a new section of KRS Chapter 243 to maintain the requirement that a restaurant or dining facility in a hotel, motel, or inn receive at least 50 percent of its gross receipts from the sale of food; amends KRS 242.230 through 242.290 to apply the dry territory restrictions to moist territory unless the alcoholic beverage is authorized under a moist election in that territory; creates a new section of KRS Chapter 243 to move economic hardship determinations for regulatory ordinances by a city of the fourth class from KRS Chapter 242; creates new sections of KRS Chapter 243 to establish licenses for malt beverage storage, distilled spirits and wine storage, malt beverage suppliers, distilled spirits and wine suppliers, and transporters; creates new sections of KRS Chapter 243 to set out licensing requirements for a limited restaurant, golf course, or air transporter license; creates new sections of KRS Chapter 243 to establish new Nonquota type 1, 2, 3, and 4 licenses; amends KRS 243.020 to restrict the licenses issued in special local option territory to those that directly correspond with the types of sales approved by the voters of the territory; amends KRS 243.030 through 243.070 to add, remove, or modify license types and fees, and to limits local fee increases on designated licenses; amends KRS 243.0305 to merge the souvenir retail liquor license into the distiller's license; amends various sections of KRS 243.033 through 243.250 and KRS 244.300 to designate quota retail package licenses, quota retail drink licenses, or both, and to allow a caterer licensee to cater a fundraising event that has a special temporary distilled spirits and wine auction license; amends various sections of KRS Chapter 243 and KRS Chapter 244 to conform with license merging and renaming; amends KRS 243.037 to update service bar and supplemental bar restrictions; repeals and reenacts KRS 243.050 to list requirements for extended hours supplemental licenses and Sunday retail distilled spirits and wine drink licenses; lists details of city regulatory license fees; amends KRS 243.090 to authorize producers, wholesalers, or distributors to obtain licenses for either one year or two years; amends KRS 243.155 to remove local option election language transferred to KRS Chapter 242; repeals and reenacts KRS 243.160 to allow a wholesaler to sell his or her products to the holder of special nonbeverage alcohol license; amends KRS 243.180 to allow a distributor to sell his or her products to the holder of a special nonbeverage alcohol license, and to list additional requirements for a special temporary license; amends KRS 243.320 to establish a special nonbeverage alcohol license; amends KRS 243.340 to grant a special agent's or solicitor's license to nonresidents; amends KRS 243.380 to allow business entities that own more than two licensed premises to obtain a single master file; amends KRS 243.730 to remove surety bond requirements; creates a new section of KRS Chapter 244 to establish medical amnesty for minors reporting an alcohol overdose; amends KRS 244.120 to forbid licensees, patrons, or employees from causing or allowing a disorderly premises, and to add public nuisance, criminal



activity, or failing to meet health and safety codes to acts constituting a disorderly premises; amends KRS 244.290 to permit the sale of distilled spirits and wine on any primary, or regular, local option, or special election day, to authorize the legislative body or fiscal court of a first through fourth class city or the legislative body of any form of county government to adopt an ordinance to prohibit or limit the hours and times of distilled spirits and wine sales within its boundaries on any primary, or regular, local option, or special election day, to limit the changes regarding election day sales to territories that already allow some form of alcohol sales, and to forbid the fiscal court of a county containing a first through fourth class city from changing an election day sales decision made by a first through fourth class city or imposing an action on that city within that county; amends KRS 244.295 to remove the prohibition against the sale of distilled spirits and wine on a primary or election day in an urban-county government; amends KRS 244.480 to permit the sale of malt beverages on any primary, or regular, local option, or special election day, and to establish malt beverage territorial limitations and county or city government powers and restrictions identical to those for distilled spirits and wine; amends various sections of KRS Chapters 119, 230, 243, 244, and 413 to conform; repeals and reenacts KRS 230.350 and 230.352 to conform; amends KRS 243.157 to allow microbreweries to sell malt beverages produced on the premises for on-premises or off-premises purposes without transferring physical possession to a distributor if the microbrewery meets reporting requirements and has both a retail drink license and a retail package license, and to require the microbrewery to collect taxes due when selling malt beverages; repeals KRS 242.080, KRS 242.100, KRS 242.130, KRS 242.140, KRS 242.150, KRS 242.160, KRS 242.170, KRS 242.180, KRS 242.185, KRS 243.032, KRS 243.140, KRS 243.210, KRS 243.270, KRS 243.290, KRS 243.300, KRS 243.310, KRS 243.330, KRS 243.350, KRS 243.400, KRS 243.410, KRS 243.420, and KRS 244.330.

### **SB 15**

AN ACT relating to violent offenders.

Amends KRS 439.3401 to provide that persons convicted of criminal homicide under KRS Chapter 507 where the victim was a peace officer or firefighter, killed in the line of duty, shall be classified as violent offenders and subject to mandatory service of time and all applicable restrictions on parole and service credits.

### **SB 18**

AN ACT relating to preschool funding for children.

Amends KRS 157.3175 to set the date of preschool eligibility for at-risk children who are four years of age by August 1, effective in 2017, to require that funding be based on the average number of eligible children served on December 1 and March 1 of the prior academic year, and to establish preschool eligibility requirements for children identified as at risk or disabled; repeals KRS 157.226.

### **SB 21**

AN ACT relating to the Kentucky Housing Corporation.

Amends KRS 198A.715 to expand eligibility for funding from the affordable housing trust fund to include sponsors who meet certain requirements and work in connection with rental housing developments that receive low-income tax credits, to require the Kentucky Housing Corporation to determine if an applicant for funds is an eligible sponsor that is owned, by

majority interest, by a nonprofit organization that materially participates in the development and operation of the rental housing, to permit the Kentucky Housing Corporation to amend and determine eligibility rather than the board of directors, and to make technical corrections regarding the report provided by the Kentucky Housing Corporation to the Interim Joint Committee on Appropriations and Revenue; amends KRS 198A.720 extending the time the Kentucky Housing Corporation has to review applications for trust fund dollars from 60 days to 90 days, to remove trust fund application ranking criteria and transfers the authority to rank applicants to the corporation, in consultation with the advisory committee for the trust fund, to increase the percentage allowable to recipients of trust fund money for administrative costs from 5 percent to 7.5 percent, to allow the board of directors of the corporation to define “rural areas of the Commonwealth,” and to remove exclusions; repeals KRS 198A.067.

**SB 27**

AN ACT relating to legal actions related to property.

Amends KRS 426.220 to decrease the right of redemption period from one year to six months for land sold under execution for less than two-thirds of its value; amends KRS 426.230 and KRS 426.240 to conform; amends KRS 134.452, relating to certificates of delinquency, to describe conditions under which litigation attorneys’ fees of \$2,000 may be reasonable, and to describe situations in which litigation attorneys’ fees in a greater amount may be allowed.

**SB 32**

AN ACT relating to donations.

Creates a new section of KRS Chapter 150 to define “mounted wildlife specimen” and requires the Department of Fish and Wildlife Resources to promulgate administrative regulations by January 1, 2014, to allow resident religious, charitable, or educational institutions that qualify as a 501(c)(3) tax-exempt organization of the Internal Revenue Code to sell donated mounted wildlife specimens, except as prohibited by federal law, and to require the Department of Fish and Wildlife Resources to establish a registry to track donated mounted wildlife specimens and exclude taxidermists from the registry requirements; amends KRS 367.668 to require professional solicitors to provide additional information prior to requesting contributions orally, in writing, or through the use of donation receptacles; repeals 367.178.

**SB 34**

AN ACT relating to the provision of information relative to Down syndrome.

Creates a new section of KRS Chapter 211 to require health facilities, physicians, health care providers, nurse midwives, or genetic counselors rendering prenatal care, postnatal care, or genetic counseling to provide new and expectant parents of children with Down syndrome with evidence-based information developed by the Cabinet for Health and Family Services regarding the diagnosis, clinical course, development, outcomes, treatment options, and support programs.

**SB 46**

AN ACT relating to biomass and declaring an emergency.

Creates a new section of KRS Chapter 278 to allow recovery of costs for purchase of power from certain biomass energy facilities, and to declare the Public Service Commission

approval of cost recovery to be valid for the initial term of the purchase power agreement;  
EMERGENCY.

**SB 50**

AN ACT relating to industrial hemp.

Establishes an industrial hemp research program, and the licensure of industrial hemp growers for both research and commercial purposes; amends KRS 260.850 to define terms; creates a new section of KRS 260.850 to 260.869 to declare the purpose of the Act and provide that the purpose shall be accomplished through the commission, the research program, and the licensure of industrial hemp growers; amends KRS 260.851 to require the commission to promulgate administrative regulations to administer the research program; amends KRS 260.853 to establish the research program to consist of demonstration plots overseen by the University of Kentucky Agricultural Experiment Station and other research partners, and to establish the responsibilities of the commission; amends KRS 260.857 to attach the commission to the University of Kentucky Agricultural Experiment Station and to clarify membership, adding regional university representation and others; amends KRS 260.859 to name the Commissioner of the Department of Agriculture vice chair of the commission, and to allow for the commission to elect its chair; amends KRS 260.861 to clarify what entities provide administrative and other services to the commission; amends KRS 260.863 to require reporting on industrial hemp issues; amends KRS 260.865 to provide that no provision of this Act shall allow any person to violate any federal law; amends KRS 260.869 to clarify the uses of the industrial hemp program fund and to allow the commission to administer the fund; creates a new section of KRS 260.850 to 260.869 to establish conditions and procedures for issuing industrial hemp grower licenses, and to allow license fees to be set by administrative regulation, to stipulate monitoring requirements; creates a new section of KRS 260.850 to 260.869 to set out operational procedures for licensed growers, and to set standards for transporting industrial hemp off the premises of a licensed grower; creates a new section of KRS 260.850 to 260.869 to establish procedures for license revocations in certain circumstances; creates a new section of KRS 260.850 to 260.869 to allow licensed growers to apply for tobacco settlement funds; amends KRS 218A.010 to conform; amends KRS 154.32-010 to clarify that processing industrial hemp qualifies as “agribusiness” under the Kentucky Business Investment incentive program; directs the Cabinet for Economic Development to work with the commission to promote the development of industrial hemp production and commercialization in the Commonwealth.

**SB 52**

AN ACT relating to certificates of death.

Amends KRS 213.076 to require that all certificates of death in the Commonwealth be filed electronically with the Cabinet for Health and Family Services using the Kentucky Electronic Death Registration System beginning January 1, 2015.

**SB 56**

AN ACT relating to preservation of digital, video, and audio recordings by schools.

Amends KRS 160.705 to require schools to retain all recordings of school activities for a minimum period of one week without editing, altering, or destroying recorded material, to allow a secondary copy of a master recording to be edited, and to require schools to retain for a

minimum period of one month without alteration any recording of school activities that includes or allegedly includes an injury to a student or school employee.

**SB 59**

AN ACT relating to reorganization.

Amends KRS 12.020 and 12.023 to transfer the Council on Postsecondary Education from the Education and Workforce Development Cabinet to the Office of the Governor; amends KRS 151B.020 and 151B.130 to conform; confirms Executive Order 2012-419.

**SB 61**

AN ACT relating to early high school graduation and making an appropriation therefor.

Creates a new section of KRS Chapter 158 to be numbered KRS 158.142 to establish the option for early high school graduation beginning in the 2014-2015 school year, to require students to obtain a qualifying benchmark score on each of the end-of-course examinations that make up the high school achievement portion of the accountability system under KRS 158.6453, and to create the Early Graduation Scholarship Certificate and related processes; creates a new section of KRS Chapter 164 to establish the early graduation scholarship fund to be administered by the Kentucky Higher Education Assistance Authority; amends KRS 157.360 to describe how state funds from the SEEK appropriation will be transferred to the scholarship fund to support early high school graduates; amends KRS 158.140 to limit the powers of the Kentucky Board of Education or a local board from imposing graduation requirements that would prohibit a student from pursuing an early graduation program; amends KRS 164.7879 to provide a fourth-year KEES award for any student who graduates in three years, to encourage access for middle school students to high school English and algebra, to set the scholarship award amount to one-half of the average per-pupil SEEK appropriation, to require high schools to report early graduates to the Kentucky Higher Education Assistance Authority, and to clarify that one-half of the SEEK appropriation shall be retained by the graduates' districts; amends KRS 157.420 to conform.

**SB 64**

AN ACT relating to Kentucky Educational Excellence Scholarships.

Amends KRS 164.7879 to provide a Kentucky Educational Excellence Scholarship award amount for the fourth year of high school to students who graduate in three years.

**SB 66**

AN ACT relating to public protection.

Amends KRS 95.440 to remove the prohibition against certain forms of local government from appointing a person over 50 years of age as a member of a police or fire department; amends KRS 211.9109, 211.9111, and 211.9113 to delete the requirement for a radon measurement contractor to maintain errors and omissions coverage of \$500,000 at all times during the certification period and to enable a radon mitigation or measurement contractor to become certified without filing a license and permit bond; amends KRS 211.9117 to remove the diagnostic-purposes-only exemption from the prohibition on a person dually certified as both a measurement and mitigation contractor conducting mitigation on a residential or commercial building from conducting measurement on that same structure to determine the need for the mitigation; amends KRS 211.9121 to conform.

**SB 67**

AN ACT relating to persons incompetent to stand trial.

Amends KRS 186.560 to prohibit a person found incompetent to stand trial from operating a motor vehicle in Kentucky during the period of the person's incompetency or until the underlying criminal case is dismissed.

**SB 69**

AN ACT relating to business entities.

Amends KRS 11A.010 and KRS 11A.201 to include nonprofits, trusts, and limited liability companies within the definition of "person" in the executive branch code of ethics; amends KRS 14A.3-010 to clarify that a business type identifier must appear at the end of the business name; amends KRS 14A.9-050 to clarify that a company must actually be transacting business in Kentucky before being subject to the statute; amends KRS 271B.1-410 to conform notice provisions to those found in KRS Chapter 14A; amends KRS 275.175 to clarify means of amending an LLC management structure; amends KRS 275.185 to clarify that records inspection requests be addressed to the LLC itself; amends KRS 281.6251 to include limited partnerships and to require that manager names be listed in certificate applications; amends KRS 386A.3-050 to provide for the effect of various contingencies on the continued existence of the trust; amends KRS 386A.6-030 and 386A.6-040 to relocate between the two statutes language relating to trust distributions; amends KRS 433.900 and KRS 433.902 to bring partnerships within the scope of Kentucky's sale of metals law; creates a new section of Subtitle 11 of KRS Chapter 286, relating to money transmitters, to authorize the commissioner of the Department of Financial Institutions to require, by rule or order, submission of an application, report, or approval request to the State Regulatory Registry, LLC, or its successor, parent, affiliate or operating subsidiary, or to other agencies or authorities as part of a nationwide licensing system, to authorize the commissioner to establish relationships or contracts with and to report violations, enforcement actions, and other relevant information to other governmental agencies, the Registry, or affiliated agencies of the Registry, and to authorize the commissioner to use other governmental agencies, the Registry, or entities affiliated with the Registry as agents for requesting information from and distributing information to the United States Department of Justice or other governmental agencies.

**SB 72**

AN ACT relating to suicide prevention training.

Creates a new section of KRS Chapter 210 to establish mandatory training requirements for social workers, marriage and family therapists, professional counselors, fee-based pastoral counselors, alcohol and drug counselors, psychologists, and occupational therapists in suicide assessment, treatment, and management, to define terms, to require that the first training be completed by July 2016, to permit training to count toward continuing education requirements, to require the Cabinet for Health and Family Services to develop a model list of training programs and report the list to the Interim Joint Committee on Health and Welfare, and to require the respective professional boards to promulgate administrative regulations to implement training requirements.



**SB 75**

AN ACT relating to school instructional days.

Amends KRS 158.070 to permit the commissioner of education to grant the equivalent of 10 instructional days for school districts that have missed an average of 20 or more days in the previous three years and use alternative methods of instruction on days when the school district is closed for specific reasons; requires the Kentucky Board of Education to promulgate administrative regulations for calculating average daily attendance for instructional time granted.

**SB 78**

AN ACT relating to the criminal justice system.

Amends KRS 216B.400 to require that a medical exam of a crime victim must occur within 12 months of the medical provider's application to receive reimbursement; amends KRS 346.040 to permit the Crime Victims Compensation Board to negotiate a binding settlement for recoverable expenses with the provider after a claim has been filed; creates a new section of KRS Chapter 346 to cease pending debt collection actions against crime victims when the debt incurred is related to a recoverable claim through the board and to establish procedures; amends KRS 346.130 to permit the use of court records to establish the occurrence and reporting of criminal conduct and permit an award for loss of earnings or support if due to the crime and to require the award to be equal to net earnings at the time of the crime; amends KRS 346.140 to add donations made on behalf of a victim to the listing of offsets to be made against awards; amends KRS 532.162 to permit a court to order a defendant to pay restitution for criminal conduct directly to the Crime Victims Compensation Board as appropriate; repeals KRS 346.190, relating to reciprocal agreements with other states; amends various sections of KRS Chapter 431 to clarify the effect of traffic tickets on expungement requests; creates a new section of KRS Chapter 431 to require that a certificate of eligibility completed by the State Police and the Administrative Office of the Courts be submitted with all expungement petitions; amends KRS 6.949 to modify the contents of corrections impact statements; amends KRS 27A.097 to make a technical correction; amends KRS 197.045 to clarify the types of programs that qualify for institutional credits and apply specified credits retroactively; amends KRS 439.3406 to clarify that mandatory reentry supervision must be applied six months prior to the projected completion date of the inmate's sentence; amends KRS 441.045 to authorize a correctional facility to apply for Medicaid on an inmate's behalf; amends KRS 441.430 and KRS 441.440 to clarify language relating to construction of jails.

**SB 83**

AN ACT relating to reorganization.

Amends KRS 12.020 to create the Office for Education and Workforce Statistics and the Board of the Kentucky Center for Education and Workforce Statistics; creates new sections of KRS Chapter 151B to establish the duties of the Office for Education and Workforce Statistics and the Kentucky Center for Education and Workforce Statistics and to clarify which public agencies shall contribute education and workforce data to the system; creates the Council for Educational Research with membership including the chief research officer at each research university and the deans of the colleges of education at each comprehensive university; confirms Executive Order 2012-1029.

**SB 84**

AN ACT relating to persons transporting prisoners.

Amends KRS 71.065 to authorize a county in which there is no jail and the jailer has been appointed as a transportation officer to employ additional persons with peace officer authority while transporting or having custody of prisoners to assist the jailer.

**SB 93**

AN ACT relating to the Uniform Commercial Code and declaring an emergency.

Amends KRS 355.4A-108, which prohibits application of Article 4A of the Uniform Commercial Code to a funds transfer governed by the federal Electronic Fund Transfer Act of 1978, to authorize application of the provisions of Article 4A of KRS Chapter 355 if the remittance transfer is an Electronic Fund Transfer as defined in the federal Electronic Fund Transfer Act, and to require the Electronic Fund Transfer Act to govern any electronic fund transfer inconsistency between Article 4A of KRS Chapter 355 and the Electronic Fund Transfer Act; repeals, reenacts, and amends 2012 Ky. Acts ch. 132, sec. 102 to correct sections of 2012 SB 97 which take effect on July 1, 2013; repeals, reenacts, and amends KRS 355.9-801 and KRS 355.9-809 to conform; EMERGENCY.

**SB 95**

AN ACT relating to tuition waivers for adopted children who serve in the military.

Amends KRS 164.2847 to extend the five-year tuition waiver eligibility period for adopted children who serve in the military.

**SB 96**

AN ACT relating to motor carriers.

Creates a new section of KRS Chapter 281 to require motor carriers registering interstate vehicles through the International Registration Plan or intrastate vehicles greater than 26,000 pounds to complete motor carrier operation and safety regulations training annually, to direct the Motor Carrier Advisory Committee (MCAC) to promulgate administrative regulations to provide standards for the education training courses, to require the MCAC to approve providers of training courses, to allow providers to set a fee for the course of no more than \$200 and require the providers to report the fee to the MCAC, to require maintenance of records by both the MCAC and the providers of training courses, and to provide limited exemptions from training requirements; amends KRS 281.905 to clarify the duties of the Motor Carrier Advisory Committee to include coordination and oversight of training course.

**SB 97**

AN ACT relating to compulsory attendance.

Amends KRS 159.010 to permit, beginning with the 2015-2016 school year, each local board of education, on the recommendation of the superintendent and approval of the Kentucky Department of Education, to require children residing in the school district's attendance area to attend school until the child has reached his or her 18th birthday except as provided in KRS 159.030, to require school attendance until age 18 in all districts after 55 percent of districts require children to attend school until age 18, and to make the statewide requirement become effective four years after the 55 percent threshold is met; amends KRS 159.020 to conform.

**SB 98**

AN ACT relating to county law libraries.

Amends KRS 172.200 to allow the trustees of county law libraries using the alternative financing plan set out in KRS 172.180 to purchase equipment for county law libraries and allows library materials and equipment to be housed in Court of Justice facilities.

**SB 103**

AN ACT relating to amusement rides and attractions.

Amends KRS 247.234 to require amusement rides and attractions applicants to list prior violations when obtaining a business identification number and to declare that unpaid civil penalties assessed against amusement rides and attractions operators remain in effect.

**SB 107**

AN ACT relating to pharmacy benefit managers.

Creates a new section of Subtitle 17A of KRS Chapter 304 to define terms, including the definition of “contracted pharmacy” that requires that the contracted pharmacy be located in Kentucky, to require contracts between Pharmacy Benefit Managers (PBMs) and pharmacies to include sources used by the PBM to calculate the drug product reimbursement, to require a process that will appeal, investigate, and resolve disputes, to specify the length of time to raise an appeal and to investigate and resolve it; requires that the national drug code of a drug that can be purchased by the contracted pharmacy at or below the maximum allowable cost (MAC) be provided when an appeal is denied, to require that a process for retroactive reimbursements be included in PBM and pharmacy contracts within one year, to require the PBM to include national drug pricing compendia or sources used to obtain drug price data when a MAC is established for a drug, to require the drugs subject to MAC and the MAC for each drug be provided to each contracted pharmacy, to require review and necessary adjustments to the MAC at least every 14 days, and to require weekly updates to the list of drugs subject to the MAC.

**SB 110**

AN ACT relating to the standardbred development fund.

Amends KRS 230.770 to delete the requirement that progeny eligible for the standardbred development fund be sired by stallions standing within the Commonwealth.

**SB 114**

AN ACT relating to commercial driver’s licenses.

Amends KRS 281A.010 to conform the definition of “hazardous materials” to the federal definition; amends KRS 189.560 to include federal offenses listed in 49 C.F.R. sec. 383.51(d) as grounds for disqualification of a commercial driver’s license (CDL) holder for railroad crossing offenses; amends KRS 281A.170 to require the Transportation Cabinet to promulgate administrative regulations relating to CDL standardized operating restrictions; amends KRS 281A.175 to require CDL holders with a school bus endorsement to have an annual physical examination; amends KRS 189.990 to conform.



**SB 120**

AN ACT relating to police officers of public institutions of postsecondary education.

Amends KRS 61.315, relating to certain benefits for police officers, to expand the definition of “police officer” to include police officers at public institutions of postsecondary education; amends KRS 15.310, KRS 15.380, KRS 164.950, KRS 164.955, KRS 164.960, KRS 164.965, KRS 164.970, KRS 164.975, and KRS 164.980 to conform.

**SB 122**

AN ACT relating to reorganization.

Amends KRS 196.026 to create the Division of Parole and Victim Services and the Division of Substance Abuse Programming within the Department of Corrections and abolish the Division of Frankfort Career Development Center; amends KRS 439.320 to abolish the position of executive director of the Parole Board; amends KRS 196.701 and KRS 196.702 to conform; repeals and reenacts KRS 439.562 to establish the Kentucky Council for Interstate Adult Offender Supervision and define its membership and duties; amends KRS 317.420 and KRS 317A.020, relating to the practice of barbering and cosmetology, to exclude the Department of Juvenile Justice and the Department of Corrections from those provisions; amends KRS 15.315 to add three members, ex officio, to the Kentucky Law Enforcement Council; amends KRS 15A.020 to abolish the Office of Investigations within the Justice and Public Safety Cabinet and transfer those functions to the Office of Legal Services; amends KRS 12.020 to conform; confirms Executive Order 2012-560.

**SB 125**

AN ACT related to newborn screening for congenital heart disease.

Amends KRS 214.155 to include critical congenital heart disease testing as part of the newborn screening program; establishes a delayed effective date of January 1, 2014, for the testing requirement.

**SB 128**

AN ACT relating to veterans designations on operators’ licenses and personal identification cards.

Amends KRS 186.412, regarding operators’ licenses, to allow a DD-2 form to be used as acceptable proof of veteran status for placing a veteran designation on a license or ID card.

**SB 150**

AN ACT relating to concealed deadly weapons.

Amends KRS 237.110, relating to the issuance of licenses to carry a concealed deadly weapon, to remove the six month residency requirement, and to reduce the period of time in which the Department of State Police must act upon receiving the license application from the sheriff from 90 days to 60 days.

**SB 151**

AN ACT relating to reciprocity for funeral directors.

Amends KRS 316.140 to permit a person licensed as an embalmer or funeral director in another state to obtain a license in Kentucky if the person has met the same or similar

requirements for Kentucky licensure as an embalmer or funeral director and pays a fee equal to the license renewal fee.

**SB 152**

AN ACT relating to the insurance code.

Amends KRS 304.9-020 to change the definition of “rental vehicle agent” by substituting “vehicle” for “car”; amends KRS 304.9-425 to authorize receipt of compensation for a rental vehicle insurance policy if the individual or rental business entity is licensed, if a license is required, at the time services were performed; amends KRS 304.12-100 to authorize payment of any compensation, fee, or other consideration to an individual not licensed to sell insurance who sells, solicits, or negotiates rental vehicle insurance; amends KRS 304.17A-005 to redefine “employer-organized association” and to include bona fide employer organized association health benefit plans as “large group plans.”

**SB 188**

AN ACT relating to reorganization.

Confirms Executive Order 2012-1057, relating to reorganization of the Transportation Cabinet.

**SB 202**

AN ACT relating to self-insured groups and declaring an emergency.

Amends KRS 304.50-010, KRS 304.50-085, and KRS 342.350 to authorize a workers’ compensation heterogeneous self-insured group to contract and to sue and be sued in the name adopted by the group; amends KRS 304.48-250 and KRS 304.50-055 to allow certain governmental entities flexibility in financing any assessment by the self-insured group to cover an accrued deficit and to require the intercept of payments due to that governmental entity if it fails to make a scheduled payment; EMERGENCY.

**SJR 14**

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

**SCR 35**

Establishes a task force to study the Unified Juvenile Code; establishes membership of task force; requires the task force to study issues related to status offenders, the use of community resources, alternatives to detention, reinvestment of savings to create community based treatment programs, feasibility of establishing an age of criminal responsibility, issues related to domestic violence and its impact on children exposed to domestic violence, issues related to special-needs children, and use of validated risk and needs assessments; permits the task force to submit proposals for statutory changes to the Legislative Research Commission by January 6, 2014.

**SCR 123**

Directs the staff of the Legislative Research Commission to study the statutory, regulatory, and procedural barriers to immediate notification of the Division of Probation and Parole when supervisees are arrested as well as alternative methods for notification and the

associated costs of each method, including start-up and recurring costs, and the necessary participation and cooperation of other appropriate agencies and the Administrative Office of the Courts in developing and implementing the notification system; requires a report of the findings to the appropriate committee or committees by November 1, 2013.

### **Senate Simple Resolutions**

**SR 127**

Confirms the appointment of James R. Mahan to the Kentucky Agricultural Development Board.

**SR 128**

Confirms the appointment of Patrick M. Henderson to the Agricultural Development Board.

**SR 129**

Confirms the appointment of Karen M. Curtis to the Kentucky Agricultural Development Board.

**SR 130**

Confirms the appointment of Charles Jacob Reid to the Kentucky Housing Corporation Board of Directors.

**SR 131**

Confirms the reappointment of F. Lynn Luallen to the Kentucky Housing Corporation Board of Directors.

**SR 132**

Confirms the reappointment of William E. Summers V to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2016.

**SR 133**

Confirms the appointment of Stacey C. Epperson to the Kentucky Housing Corporation Board of Directors.

**SR 134**

Confirms the reappointment of Gail J. Melvin to the Kentucky Housing Corporation Board of Directors.

**SR 135**

Confirms the reappointment of Porter G. Peebles to the Kentucky Housing Corporation Board of Directors.

**SR 136**

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

**SR 137**

Confirms reappointment of James W. Gardner to the Public Service Commission.

**SR 138**

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

**SR 139**

Confirms the appointment of Wayne D. Sapp to the Kentucky Personnel Board.

**SR 140**

Confirms the appointment of Donald W. Blevins to the Kentucky Personnel Board

**SR 141**

Confirms the appointment of Caroline W. Mudd to the Parole Board.

**SR 142**

Confirms the reappointment of June G. Hudson to the Kentucky Lottery Corporation Board of Directors.

**SR 143**

Confirms the appointment of Benham J. Sims III to the Kentucky Lottery Corporation Board of Directors.

**SR 144**

Confirms the reappointment of David M. Ingordo to the Kentucky Lottery Corporation Board of Directors.

**SR 145**

Confirms the reappointment of Teresa L. Naydan to the Kentucky Registry of Election Finance.

**SR 146**

Confirms the reappointment of Craig Christman Dilger to the Kentucky Registry of Election Finance.

**SR 147**

Confirms the reappointment of Michael Mark Wasicsko to the Education Professional Standards Board.

**SR 148**

Confirms the reappointment of Barbara Ann Boyd to the Education Professional Standards Board.

**SR 149**

Confirms the reappointment of Sandy Sinclair-Curry to the Education Professional Standards Board.

**SR 150**

Confirms the reappointment of Cassandra A. Webb to the Education Professional Standards Board.

**SR 151**

Confirms the reappointment of Ronald Anthony Strong to the Education Professional Standards Board.

**SR 152**

Confirms the appointment of Michael H. Ross to the Education Professional Standards Board.

**SR 153**

Confirms the appointment of Jimmy Bevins to the Fish and Wildlife Resources Commission.

**SR 154**

Confirms the appointment of Stephen M. Glenn to the Fish and Wildlife Resources Commission.

**SR 155**

Confirms the reappointment of Terry K. Teitloff to the Fish and Wildlife Resources Commission.

**SR 156**

Confirms the appointment of Thomas Kennedy Helm III to the Council on Postsecondary Education.

**SR 157**

Confirms the appointment of Carolyn M. Ridley to the Council on Postsecondary Education.

**SR 158**

Confirms the appointment of Sherrill Brakmeier Zimmerman to the Council on Postsecondary Education.

**SR 159**

Confirms the appointment of Arnold Taylor to the Council on Postsecondary Education.

**SR 160**

Confirms the appointment of David B. Sloan to the Mine Safety Review Commission.

**SR 161**

Confirms the appointment of M. Melinda Karns to the Kentucky Board of Tax Appeals.

**SR 162**

Confirms the appointment of Lanola Parsons to the Kentucky Board of Tax Appeals.

**SR 163**

Confirms the appointment of Jon E. Stewart as the manager, Chief Executive Officer/ President for Kentucky Employers' Mutual Authority.

**SR 164**

Confirms the appointment of Debra K. Nicholson to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority.

**SR 165**

Confirms the reappointment of Rita Y. Phillips to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority.

**SR 166**

Confirms the reappointment of David H. Snowden to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority.

**SR 167**

Confirms the appointment of Edward M. Bourne, Jr. to the Governor's Postsecondary Education Nominating Committee.

**SR 168**

Confirms the reappointment of Eugene Jeffrey Mosley to the Governor's Postsecondary Education Nominating Committee.

**SR 169**

Confirms the gubernatorial appointment of Nawanna B. Privett to the Kentucky Board of Education.

**SR 170**

Confirms the gubernatorial appointment of Leo Calderon to the Kentucky Board of Education.

**SR 171**

Confirms the gubernatorial reappointment of Brigitte B. Ramsey to the Kentucky Board of Education.

**SR 172**

Confirms the gubernatorial reappointment of David K. Karem to the Kentucky Board of Education.

**SR 173**

Confirms the appointment of Jane Rice Williams as an administrative law judge in the Department of Workers' Claims.

**SR 174**

Confirms the appointment of Thomas G. Polites as an administrative law judge in the Department of Workers' Claims.

**SR 175**

Confirms the appointment of Steven G. Bolton as an administrative law judge in the Department of Workers' Claims.

**SR 176**

Confirms the reappointment of Otto D. Wolff as an administrative law judge in the Department of Workers' Claims.

**SR 181**

Confirms the appointment of Sharon P. Clark as Commissioner of the Department of Insurance.

## House Bills

### HB 1

AN ACT relating to special purpose governmental entities, making an appropriation therefor, and declaring an emergency.

Creates KRS Chapter 65A to create new sections to define terms, to establish an online central registry for the reporting and dissemination of administrative and financial information by special purpose governmental entities, to establish audit requirements for special purpose governmental entities and consequences for failure to comply with the reporting provisions, to establish standard dissolution provisions for special purpose governmental entities, to require the Department for Local Government to educate the governing boards and employees of special purpose governmental entities, to require special purpose governmental entities to follow ethics codes, to require special purpose governmental entities to adopt an annual budget and to publicize where the adopted budget and other financial information relating to the district may be found, to require all special purpose governmental entities to register with the Department for Local Government prior to December 31, 2013, to require all special purpose governmental entities to report all new fees and ad valorem taxes, all fee increases, and the levy of any ad valorem rate to the governing body of the city or county where the greatest population served by the special purpose governmental entity resides, to require the report to be in writing, and to require testimony before the governing body; amends KRS 132.010 to add definitions for “taxing district” and “special purpose governmental entity”; amends KRS 132.023 to require that any required public hearing be held at the location where the city or county governing body meets immediately before a meeting of the governing body of the city or county; amends KRS 6.764, KRS 64.012, KRS 65.003, KRS 65.005, KRS 65.065, KRS 65.070, KRS 65.117, KRS 65.900, KRS 65.905, KRS 39F.160, KRS 43.070, KRS 43.075, KRS 65.009, KRS 65.530, KRS 65.8925, KRS 74.070, KRS 75.430, KRS 77.135, KRS 77.140, KRS 91.758, KRS 91.760, KRS 91A.360, KRS 91A.370, KRS 91A.372, KRS 91A.380, KRS 91A.570, KRS 91A.575, KRS 96A.190, KRS 97.095, KRS 97.120, KRS 97.600, KRS 97.720, KRS 104.610, KRS 107.380, KRS 132.024, KRS 136.602, KRS 147.635, KRS 147A.021, KRS 147A.090, KRS 164.655, KRS 173.570, KRS 173.770, KRS 184.080, KRS 210.400, KRS 212.500, KRS 212.639, KRS 212.794, KRS 216.343, KRS 220.544, KRS 262.097, KRS 262.280, KRS 262.760, KRS 262.763, KRS 266.120, KRS 268.170, and KRS 273.441 to conform; creates new sections of KRS 65.180 to 65.192, KRS 65.350 to 65.375, KRS 65.660 to 65.679, KRS 68.600 to 68.606, KRS 76.005 to 76.230, KRS 76.213 to 76.240, KRS 76.274 to 76.279, KRS 76.295 to 76.420, KRS 80.262 to 80.300, KRS 80.310 to 80.610, KRS 108.010 to 108.075, KRS 108.080 to 108.180, KRS Chapter 109, Subtitle 50 of KRS Chapter 154, KRS Chapter 173, KRS 183.132 to 183.165, KRS 212.720 to 212.760, and KRS Chapters 267, 268, and 269 to apply the provisions of the newly created KRS Chapter 65A; appropriates funds to the Department for Local Government and the Auditor of Public Accounts for start-up expenses; EMERGENCY.

### HB 3

AN ACT relating to human trafficking and making an appropriation therefor.

Creates a new section of KRS Chapter 620 to provide protections for children who are victims of human trafficking and require each case to be treated as a case of dependency, neglect, or abuse, to require investigation of the case and the provision of appropriate treatment, housing,



and services, to require the promulgation of administrative regulations, and to require an annual report; amends KRS 620.030 to clarify the duty to report cases when there is reasonable cause to believe a child is a victim of human trafficking; amends KRS 620.040 to clarify duties of various agencies in child human trafficking cases and allow protective custody by law enforcement; creates a new section of KRS Chapter 15A to provide requirements for the Department of Juvenile Justice when a child is suspected to be a victim of human trafficking and requires promulgation of administrative regulations; amends KRS 605.030 to permit court-designated workers to screen for human trafficking; creates a new section of KRS Chapter 630 to prohibit a child victim of human trafficking from being charged with or adjudicated guilty of a status offense; amends KRS 529.010 to modify the definitions relating to prostitution and human trafficking; creates a new section of KRS Chapter 529 to establish a fee for a conviction of human trafficking offenses; creates a new section of KRS Chapter 529 to establish a human trafficking victims fund; creates a new section of KRS Chapter 529 to require asset forfeiture for human trafficking offenders and to provide for distribution of the proceeds; creates a new section of KRS Chapter 529 to prohibit the prosecution of a minor under prostitution statutes; amends KRS 529.020 and 529.080 to conform; amends KRS 15.334, relating to police training, to require training relating to human trafficking; amends KRS 15.706 to require the Prosecutors Advisory Council to collect data on human trafficking; amends KRS 15.718 to require human trafficking training for prosecutors; creates a new section of KRS Chapter 16 to require the Department of Kentucky State Police to designate a human trafficking unit; amends KRS 421.500, relating to victims services, to include victims of human trafficking; amends KRS 421.570, relating to victim advocates, to include training on human trafficking; amends KRS 413.249, relating to civil actions relating to childhood sexual abuse or childhood sexual assault, to include child victims of human trafficking; amends KRS 421.350, relating to testimony of certain child victims, to include child victims of human trafficking offenses; amends KRS 431.082 to provide a cause of action for victims of human trafficking; amends KRS 431.600, relating to coordination of child sexual abuse investigations and prosecutions, to include advocates for human trafficking victims; creates a new section of KRS Chapter 336 to require the Labor Cabinet to report incidents of human trafficking and provide for reasonable cause immunity; amends KRS 337.385 to allow a court to award punitive damages and other costs and fees to victims of human trafficking; amends KRS 516.030, relating to forgery in the second degree, to include coercing another person to make or obtain a false instrument in the commission of human trafficking; requires the Cabinet for Health and Family Services to file a report on its plan to implement provisions relating to child human trafficking victims; provides that the Act may be cited as the "Human Trafficking Victims Rights Act."

## **HB 5**

AN ACT relating to the prompt payment of Medicaid claims.

Amends KRS 304.17A-730 to require the commissioner of the Department of Insurance to enforce Kentucky's prompt payment laws as they relate to disputes between the providers of care to Medicaid recipients and Medicaid Managed care organizations and Medicaid recipients and the MCOs, to allow a Medicaid recipient or provider to file a claim with DOI for a failure to comply with Kentucky's prompt payment statutes, to allow a hearing to be requested when the claim is denied or after 30 days of nonpayment, to allow a hearing to be requested for a claim designated as "less than clean" after 120 days of nonpayment, to allow multiple claims to be reviewed in one complaint, to allow DOI to charge a filing fee to cover its reasonable expenses,

to allow DOI to investigate issues arising through the report process, to require eligible claims to be filed within 30 days, to require a ruling within 30 days if no hearing is requested and within 60 days if a hearing is requested, to encourage that reporting form documents be forwarded to State Auditor for review, to exempt fee-for-service Medicaid, to permit an interest rate of 14 percent to be charged for nonpayment and provides for additional penalties for nonpayment, to require the commissioner of DOI to enforce the prompt payment laws as they relate to disputes between providers and MCOs, to require DOI to establish an internal appeals and hearing process for review of prompt payment claims, to guarantee that currently existing unpaid “clean” or “less than clean” claims or any claims that arise after the effective date of the bill and before the implementation of hearing regulations shall be guaranteed interest payments and that each day shall continue to count as a separate violation even without a hearing process established, and to require the program to be implemented and operational within 60 days of the effective date of the Act; amends KRS 304.17A-722 to require all insurers to report quarterly information on prompt payment of clean claims, including the number of original claims and corrected claims received by the insurer from a provider, its billing agent, or designee, including the number of times a claim is corrected and resubmitted, to require DOI to promulgate administrative regulations to require quarterly reporting of pharmacy claims administration by all insurers or entities providing the service by contract with the insurer, and to require insurers to submit quarterly prompt payment reports no later than 90 days, rather than 180 days, following the close of the reporting quarter; VETOED.

## **HB 7**

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

Appropriates to Morehead State University \$9,268,000 in Agency Bonds with corresponding debt service for renovation of Mignon Residence Hall; appropriates to Murray State University \$9,900,000 in Agency Bonds with corresponding debt service for renovation of Hester Hall, \$4,940,000 in Agency Bonds with corresponding debt service for capital renewal of housing and dining facilities projects under \$600,000, and \$590,000 in Agency Bonds with corresponding debt service for upgrading the sprinkler system at College Courts; appropriates to Northern Kentucky University \$45,000,000 in Agency Bonds with corresponding debt service for renovation and expansion of Albright Health Center, and \$12,000,000 in Agency Bonds with corresponding debt service for acquisition and renovation of a new residence hall; appropriates to the University of Kentucky \$110,000,000 in Agency Bonds with corresponding debt service for renovation and expansion of Commonwealth Stadium and Nutter Training Center, \$100,000,000 in Agency Bonds with corresponding debt service for construction of the Academic Science Building, and \$25,000,000 in Restricted Funds and \$40,000,000 in Agency Bonds with corresponding debt service for expansion of the Gatton College of Business and Economics; appropriates to the University of Louisville \$9,600,000 in Agency Bonds with corresponding debt service for expansion of the Student Activities Center; appropriates to Western Kentucky University \$22,000,000 in Agency Bonds with corresponding debt service for construction of the Honors College facility; stipulates that there is no guarantee General Fund moneys will be appropriated for operation and maintenance of facilities in future biennia; stipulates that the project will not result in an increase in tuition; requires that appropriations and authorizations expire on June 30, 2014, unless the project is reauthorized or meets exception criteria; EMERGENCY.

### **HB 8**

AN ACT relating to drugs.

Amends KRS 218A.010 to include additional substances within the definition of synthetic drugs; amends KRS 218A.050 to include additional substances within the definition of Schedule I controlled substances, to include synthetic drug activity within the offense of unlawful transaction with a minor in the second degree, to modify the time periods during which certain methamphetamine offenders are prohibited from purchasing ephedrine-based products, and to preserve the prescriptive authority of various practitioners in the event of a rescheduling of hydrocodone-based drugs; EMERGENCY.

### **HB 11**

AN ACT relating to fire protection services.

Creates a new section of KRS Chapter 75 to define “city” and “fire district,” to grant cities the primary right to provide fire protection services for city territory, subject to certain limitations, to create a process for the provision of fire protection services to newly annexed territory, to create a formula to determine the proportion of fire district indebtedness owed by the city and allow three years to pay this indebtedness, and to allow a fire district to continue to provide fire protection services in certain situations if written agreements are entered into with the city; amends KRS 75.010, 75.020, and 75.040 to conform.

### **HB 27**

AN ACT relating to the local government economic development fund.

Permits coal-producing counties with a projected shortfall in budgeted distributions from the Local Government Economic Assistance Fund in fiscal year 2013 of 25 percent or greater to petition the Department for Local Government for a reallocation of funds from the individual county account in the Local Government Economic Development Fund or from specific appropriations for identified projects in the county funded from the Local Government Economic Development Fund; requires the Department for Local Government to report any approved reallocations to the State Budget Director and the Interim Joint Committee on Appropriations and Revenue.

### **HB 39**

AN ACT relating to crimes and punishments.

Amends KRS 17.546 to prohibit a registered sex offender from photographing a minor without the consent of the minor’s parent; amends KRS 500.092 to expand the availability of forfeiture actions in child pornography cases; amends KRS 500.120 to allow the state police to issue an administrative subpoena in child sexual exploitation cases; amends KRS 510.0155 to specify that the offense is complete when the sexual solicitation is sent; amends KRS 531.355 to criminalize the intentional viewing of child pornography where the viewing is deliberate, purposeful, and voluntary and not accidental or inadvertent.

### **HB 41**

AN ACT relating to DNA.

Amends KRS 422.285 and KRS 17.176 to expand the availability of post-conviction DNA testing; amends KRS 524.140 to conform.

**HB 45**

AN ACT relating to postsecondary financial aid for students with intellectual disabilities.

Amends KRS 164.740 to define a comprehensive transition and postsecondary program; amends KRS 164.7535 and KRS 164.785 to provide grants to students enrolled in a comprehensive transition and postsecondary program; creates a new section of KRS 164.7874 to KRS 164.7885 to provide Kentucky Educational Excellence Scholarships to students enrolled in a comprehensive transition and postsecondary program.

**HB 49**

AN ACT relating to the Kentucky Higher Education Student Loan Corporation educational loan program.

Amends KRS 164A.240 to allow the Kentucky Higher Education Student Loan Corporation to establish an administrative garnishment process for the collection of defaulted educational loans made pursuant to KRS 164A.240(2)(a), to require the garnishment process to begin no sooner than 180 days after failure to make payments, and to limit the garnishment amount to 10 percent of disposable pay.

**HB 51**

AN ACT relating to disaster relief funding.

Amends KRS 273.161 to define “disaster”; creates a new section of KRS Chapter 273 to require any entity that is organized for charitable purposes according to Section 501(c)(3) of the Internal Revenue Code that raises more than \$25,000 for a charitable purpose related to a disaster in Kentucky to provide quarterly financial reports to the Secretary of State, and to require them to provide a financial report to the Secretary of State for contributions received in excess of \$25,000 between January 1, 2012, and the effective date of this Act related to a disaster in Kentucky; amends KRS 68.200 to conform.

**HB 54**

AN ACT relating to government operations.

Creates a new section of KRS Chapter 36 to provide that a person designated on the Department of Defense DD Form 93 by a member in active military service has authority and responsibility for the disposition of the military decedent’s remains; amends KRS 117.085 to prevent disclosure of information in an application for an absentee ballot until after election day, except to the Secretary of State or the State Board of Elections; amends KRS 117.086 to prevent disclosure of lists of persons who return their absentee ballots by mail or cast their ballots in the clerk’s office until after election day; creates a new section of KRS Chapter 164 to establish a Board of Student Body Presidents to include the student body president of each four-year public university, the two student regents to be designated by the Board of Regents of the Kentucky Community and Technical College System, and one student body president representing the Association of Independent Kentucky Colleges and Universities, to provide that the board is advisory to the legislative and executive branches regarding postsecondary education issues and concerns of students, to require the board to meet with the Council on Postsecondary Education and the Advisory Conference of Presidents at least once a year, and to allow for nominations and appointments for student member to the Council on Postsecondary Education pursuant to KRS 164.011; amends KRS 164.011 to conform; amends KRS 610.340 to permit a crime victim to publicly discuss information related to his or her case and within his or her own knowledge or

disclosed to the victim during a juvenile court proceeding; creates a new section of KRS Chapters 600 to 645 to give the juvenile justice system limited access to a juvenile's educational records for specified purposes as permitted by federal law; amends the provisions of 2013 House Bill 1/EN to exclude fuel cost adjustments from the definition of "fees" and to provide that Section 85 of the bill will apply on and after January 1, 2014; creates a new section of KRS Chapter 2 to designate Clark County, Kentucky, as the birthplace of beer cheese; amends KRS 61.820 and 61.840 to clarify the requirements for public meeting locations.

### **HB 60**

AN ACT relating to hunting coyotes.

Amends KRS 150.360 to allow coyotes to be taken at night with or without use of light as provided in administrative regulation promulgated by the Kentucky Department of Fish and Wildlife Resources.

### **HB 63**

AN ACT relating to retirement.

Amends KRS 21.540 to clarify the prohibitions established for trustees and employees of the board of the legislative and judicial retirement system and to define "de minimus."

### **HB 66**

AN ACT relating to coal mine reclamation, making an appropriation therefor, and declaring an emergency.

Creates new sections of KRS Chapter 350 to define "actuarial soundness," "date of establishment of the fund," "discount rate," "Kentucky Reclamation Guaranty Fund," "reclamation guaranty fund commission," and "voluntary bond pool," to establish the Kentucky reclamation guaranty fund and identify the funding sources and use of money into the fund, to establish the Kentucky Reclamation Guaranty Fund Commission as a seven-member commission, to identify the members of the commission and the terms of membership, to assign the commission to the Energy and Environment Cabinet and set forth the commission's functions and duties, to establish the Office of the Reclamation Guaranty Fund and to allow the commission to hire an executive director, to prescribe the duties of the director, to prescribe the start-up funding mechanisms for the Kentucky Reclamation Guaranty Fund and require payment of one-time assessment within 30 days after notice and prohibit issuance of a permit until one-time assessment is paid, to create exemption from the one-time assessment for former voluntary bond pool members, to establish tonnage fees for members and a deviation from those fees for former voluntary bond pool members, to allow a permittee to post full cost bond in lieu of participation in the fund, to require audits and actuarial studies, to require a report of the financial status of the Reclamation Guaranty Fund annually to the Interim Joint Committee on Natural Resources and Environment, to establish sanctions and penalties for nonpayment of fees and assessments, and to make documents issued in response to subpoenas confidential and not subject to open records; amends KRS 12.020 to add the Office of the Reclamation Guaranty Fund; amends KRS 350.595 to add the Reclamation Guaranty fund and delete references to the former voluntary bond pool; amends KRS 350.990 to send 50 percent of recovered funds to the reclamation guaranty fund rather than the voluntary bond pool; repeals KRS 350.700, KRS 350.705, KRS 350.710, KRS 350.720, KRS 350.725, KRS 350.730, KRS 350.740, KRS 350.745, KRS 350.750, and KRS 350.755; EMERGENCY.



**HB 69**

AN ACT relating to domestic relations and declaring an emergency.

Amends KRS 403.320, relating to child visitation, to include language relating to the temporary nature of visitation orders in cases of the military deployment of an affected party, similar to that presently allowed for modifications of child custody decrees under KRS 403.340; create a new section of KRS Chapter 403 to define “safe child drop-off areas” and permit courts to require exchanges of child custody to take place in these areas, and to authorize relatives who have had temporary custody of a child pursuant to a court order to petition the court for visitation rights with the child after the temporary custody has been terminated; amends KRS 610.125 to establish the right of a child’s parents, foster parents, preadoptive parents, or relatives providing care to the child to be heard in court; amends KRS 610.127 to establish that reasonable efforts to keep a child in a home will not be made when the court determines a parent has sexually abused the child or is required to register on a sex offender registry; repeals and reenacts KRS 615.030 to replace the existing interstate compact relating to the placement of children with the new interstate compact for the placement of children; amends KRS 615.040 to conform; amends KRS 621.100 to require the court-appointed counsel for a child to document training on the role of counsel that includes training in early childhood, child, and adolescent development and establish the right of a child’s parents, foster parents, preadoptive parents, or relatives providing care to the child to be heard in court; amends KRS 202B.210 to conform; requires that the new interstate compact for the placement of children be effective when the 35th state ratifies the compact or upon July 1, 2013, whichever is later; requires that, until this time, KRS 615.030 remains in effect; EMERGENCY.

**HB 100**

AN ACT relating to auctions.

Amends KRS 330.220 to permit an individual party to a dissolving trust or limited liability company to bid as an individual entity apart from the selling entity on real or personal property being offered at auction pursuant to that dissolution; amends KRS 45A.365 to clarify notice requirements.

**HB 102**

AN ACT relating to unemployment insurance.

Amends KRS 341.415 and 341.530 to prohibit a reimbursing or contributing employer’s account from receiving credit for benefit overpayments collected from a former employee if the overpayment resulted from the employer or its agent’s failure to timely respond to the secretary’s request for information and if the employer engages in a pattern of failing to respond to claims; amends KRS 341.415 to impose a monetary penalty for recipients improperly obtaining benefits through misrepresentation or concealment of material information; amends KRS 341.550 to conform.

**HB 104**

AN ACT relating to healthcare providers.

Amends KRS 309.130 to define “licensed professional art therapist associate”; amends KRS 309.1305, relating to art therapy, to include a licensed professional art therapist associate; amends KRS 309.1315 to require the board to establish requirements and qualifications for supervision and conditions for inactive status; creates a new section of KRS 309.130 to 309.1399

to establish licensure of professional art therapist associates; provides education requirements, supervision requirements, term of licensure and extension provisions, and advancement procedures; amends KRS 309.1335 to include licensed professional art therapist associates; amends KRS 309.135 to establish fees for licensed professional art therapist associates; amends KRS 311.860 to give the supervising physician or the credentialing facility oversight of a physician assistant's nonseparate location practice, to reduce the waiting period before a newly graduated physician assistant may practice in a separate location from 18 months to three months, to make the three-month waiting period effective until May 31, 2014, to revoke the waiting period beginning on June 1, 2014, and to remove the board's authority to modify or waive the separate location practice privileges.

### **HB 109**

AN ACT relating to athletic trainers.

Amends KRS 311.900, KRS 311.901, KRS 311.903, KRS 311.905, KRS 311.907, KRS 311.909, and KRS 311.911 to require licensure rather than certification for authorized practice by athletic trainers, and to qualify a person for licensure without having to meet any new application, fee, or national board requirements if the person was certified by the board on July 12, 2006; amends KRS 160.445 and KRS 319B.090 to conform.

### **HB 120**

AN ACT relating to real estate appraisal.

Creates new sections of KRS 324A.150 to 324A.164 to establish the appraisal management company recovery fund, to direct the Real Estate Appraisers Board to assess each registrant an annual fee of \$800 to be included in the fund, to designate purposes of the funds to benefit Kentucky licensed or certified real property appraisers who have suffered a loss as a result of an appraisal management company ceasing to be registered if the appraiser has received a final judgment from a court of competent jurisdiction within the Commonwealth, and if the board determines that there is no viable alternative for full restitution, to add that amount of payment to an appraiser includes any reasonable and appropriate court costs associated with determining the final judgment in favor of the appraiser, to designate procedures for payment of restitution to one or more appraisers from the fund if the restitution exceeds the balance in the fund, to direct the board to promulgate administrative regulations to ensure the balance in the fund shall not fall below \$300,000, to authorize the board to assess fees upon appraisal management companies not to exceed \$800 per year whenever the fund drops below the required minimum balance and instructs board to cease imposing fees when the balance of the fund is replenished to the required minimum balance, and to require the board to make public a statement of income and expenses of the appraisal management company recovery fund in accordance with KRS 424.180 and KRS 424.190; amends KRS 324A.150 to include under the definition of "appraisal management company" providing software products used to select appraisers or order appraisals; amends KRS 324A.154 to delete the requirement for an applicant to maintain a surety bond with the board in addition to the filing fee for the company; amends KRS 324A.164 to clarify under the exemptions from company registration that an exempt real estate broker or agent properly licensed is doing business in Kentucky by listing or selling real estate; amends KRS 324A.010 to include electronic communication under the definitions for "appraisal" and "appraisal report," and to add a definition for a "federally related transaction"; amends KRS 324A.015 to delete initial terms for board members and mandates appraiser

appointees be certified and engaged in appraisal in Kentucky for at least 10 years; amends KRS 324A.030 to require certificate holders and licensees to maintain a current e-mail address and phone number, to impose a penalty not to exceed \$200 for failure to notify the board within 30 days if contact information has changed, and to prohibit a person from performing duties usually performed by a certified real property appraiser for a federally related transaction unless holding a valid license or certification for a real property appraiser in Kentucky; amends KRS 324A.035 to direct the board to promulgate administrative regulations for appraisers who perform appraisals of real property in federally related transactions; amends KRS 324A.045 to mandate that six months or more after renewal, a former certificate or license holder shall meet all current requirements as if applying for initial certification or licensure; creates a new section of KRS Chapter 324A to establish requirements for a national and state criminal background check for initial applicants for licensure or certification as a real property appraiser; amends KRS 324A.050 to include a cap on the fine per violation the board may impose at \$5,000, to permit the board to discipline if sufficient grounds exist in another jurisdiction that are sufficient to cause disciplinary action to be taken in this state, to designate what constitutes the minimum standard of conduct and performance for a licensee or credential holder, and to authorize the board in any proceeding imposing a 30-day or more suspension or revocation to order the respondent to pay actual investigation costs and proceedings not to exceed \$10,000; amends KRS 324A.065 to conform; amends KRS 324A.075 to mandate an individual from another state with substantially equivalent to or greater requirements to apply within this state if seeking to practice within Kentucky; amends KRS 324A.090 and KRS 324A.152 to conform.

### **HB 125**

AN ACT relating to the operation of motor vehicles.

Amends KRS 281.600 to exempt non-farm commercial motor vehicles with a gross vehicle weight rating or gross vehicle combined weight rating of 26,000 pounds or less, that are not engaged in interstate commerce, are not transporting hazardous materials, and are not designed or used to transport 16 or more passengers, from the federal safety regulations in 49 C.F.R. parts 391.41 to 391.49, dealing with medical qualifications of drivers, and 49 C.F.R. part 395, dealing with hours of service.

### **HB 126**

AN ACT relating to the Petroleum Tank Environmental Assurance Fund.

Amends KRS 224.60-142 to extend the date for tank owners to register, submit affidavits, and file applications for their tanks in the Petroleum Storage Tank Environmental Assurance fund from July 15, 2013, to July 15, 2016; amends KRS 224.60-130 to require the Energy and Environment Cabinet to make reimbursements for those participating in the petroleum storage tank program before July 15, 2019; amends KRS 224.60-145 to extend the small operator assistance account and small operator removal account programs from July 15, 2013, to July 15, 2016.

### **HB 145**

AN ACT relating to civil actions.

Amends KRS 413.140 to provide for a one-year statute of limitations for actions brought against professional land surveyors.



### **HB 148**

AN ACT relating to the Kentucky Wood Products Competitiveness Corporation.

Amends KRS 42.4592 to delete transfer of money to secondary wood products development fund; amends KRS 154.20-170 to make conforming internal references changes; amends KRS 154.47-005 to delete references to the board of the Kentucky Wood Products Competitiveness Corporation and define “cabinet”; amends KRS 154.47-040 to replace reference to the Economic Development Cabinet with “cabinet” and delete references to the Kentucky Wood Products Competitiveness Corporation, to require information on secondary wood product requirements to be maintained by the Finance and Administration Cabinet’s Department for Facilities and Support Services, and to remove references to the board making determinations on applications by secondary wood products businesses; amends KRS 154.47-050 to delete references to the board of the Kentucky Wood Products Competitiveness Corporation; amends KRS 154.47-055 to allow Workforce Development to work with universities to develop an integrated program and curricula for secondary wood products manufacturing; amends KRS 154.47-060 to allow the corporation to contract with the University of Kentucky and allows the University of Kentucky to run the Quicksand Wood Utilization Center, and to delete references to the corporation using the center; amends KRS 154.47-065 to replace the corporation with the cabinet and allow the Economic Development Cabinet and the Division of Forestry to develop benchmarks for performance of Kentucky forest industries; amends KRS 154.47-075 to delete references to the board and allow the Division of Forestry to work with universities and the Labor Cabinet to develop and implement training and assistance for worker safety; repeals KRS 42.4586, KRS 154.47-015, KRS 154.47-020, KRS 154.47-025, KRS 154.47-030, KRS 154.47-035, KRS 154.47-045, and KRS 154.47-070.

### **HB 149**

AN ACT relating to the veterans’ program trust fund.

Amends KRS 40.310 to require the Department of Veterans’ Affairs to manage the veterans’ program trust fund; amends KRS 40.353 to broaden the eligibility criteria for Kentucky Medal for Freedom recipients and to allow the Department of Veterans’ Affairs to receive funds from the veterans’ program trust fund to defray the cost of the Kentucky Medal for Freedom.

### **HB 150**

AN ACT relating to fish and wildlife.

Amends KRS 150.175 to remove the distinction between commercial and noncommercial taxidermist licenses, to abolish the migratory bird permit, to change the name of the waterfowl permit to the migratory bird permit, to separate the senior/disabled combination license into two different licenses, to create a new senior lifetime combination hunting and fishing license, to allow the Department of Fish and Wildlife Resources to offer multi-year licenses or permits for certain existing annual licenses or permits, and to allow the department to discontinue multi-year licenses or permits at any time; amends KRS 150.603 to conform; repeals KRS 150.605.

### **HB 153**

AN ACT relating to barbers.

Amends various sections of KRS Chapter 317 to eliminate the barber apprenticeship; amends KRS 317.450 to require graduation from a licensed school of barbering as a prerequisite to qualifying for a license to practice barbering, to establish the probationary examination,

license, and probationary period of six continuous months prior to issuance of a barber license, to permit the board to discipline a probationary licensee or to require a retake of any part of the exam during the probation period, and to eliminate the barber apprenticeship examination fee of \$150 and various other apprenticeship fees, and in lieu thereof to permit but not require the board to charge a single combined barber examination fee not to exceed \$300.

**HB 161**

AN ACT relating to the criminal justice system.

Amends KRS 514.030 to increase the penalties for theft by unlawful taking or disposition of property valued at various amounts greater than \$500; repeals KRS 218A.1418.

**HB 162**

AN ACT relating to elevator inspections and licensure.

Amends KRS 198B.400 to make technical corrections; amends KRS 198B.4013 to allow both full and limited licensure as an elevator mechanic, to set the limited license as an “accessibility and residential elevator mechanic” license, to add definitions consistent with the new license type, to direct an accessibility and residential elevator mechanic license applicant to include the types of elevators he or she has installed, maintained, or serviced in the applicant’s years of experience, to require the applicant to prove that he or she has at least 12 months of qualifying experience, to mandate passage of an authorized examination and completion of a recognized training program for an accessibility and residential elevator mechanic license, and to delete lapsed timing requirements.

**HB 164**

AN ACT relating to proof of motor vehicle insurance.

Amends KRS 304.39-117 to permit an insurer to provide an insurance card in either paper or electronic format and authorize the owner’s use of proof of motor vehicle insurance in paper or electronic format, to authorize use of a paper or electronic insurance card as evidence of proof of insurance when requested by a peace officer, to provide that proof of insurance in an electronic format means display of an image on any portable electronic device, including a cellular phone or any other type of portable electronic device depicting current valid representation of the card, to provide that a person who presents a portable electronic device to a peace officer to display an insurance card assumes liability for damage to the device, and to prohibit the peace officer from viewing any content other than the insurance card; amends KRS 186A-042 to authorize the county clerk to accept an insurance card for licensing purposes in paper or electronic format if AVIS does not list the vehicle identification number as an insured vehicle, to permit the clerk to require the applicant to e-mail the electronic copy to the clerk, and permit the clerk to print a copy of the card for the clerk’s records.

**HB 167**

AN ACT relating to defense and security of the homeland and declaring an emergency.

Creates a new section of KRS Chapter 39G to create the Kentucky Intelligence Fusion Center within the Kentucky Office of Homeland Security; amends KRS 39G.010 to require the executive director of the Kentucky Office of Homeland Security to administer the Kentucky Intelligence Fusion Center; amends KRS 61.878 to change the Office for Security Coordination to the Kentucky Office of Homeland Security; confirms Executive Order 2012-418; amends

KRS Chapter 35 to update the Kentucky Code of Military Justice; amends KRS 35.010 with definitions, including defining “state military forces” with regards to the Kentucky National Guard and “code” to mean KRS Chapter 35; amends KRS 35.015 regarding application of code to all members of the state military forces and outlines subject matter jurisdiction; amends KRS 35.020 as it relates to jurisdiction to try certain personnel; repeals, reenacts as a new section, and amends KRS 35.022 relating to senior force judge advocates and judge advocates; creates a new section of KRS Chapter 35 regarding military judges and regulations relating to their selection; amends KRS 35.035 regarding apprehension of persons subject to this code; amends KRS 35.045 regarding the imposition of arrest or restraint; amends KRS 35.050 regarding restraint of persons charged with offenses; amends KRS 35.055 regarding confinement or imprisonment in civil jails and the reporting and receiving of prisoners; creates a new section of KRS Chapter 35 prohibiting the confinement of members of the state military forces with enemy prisoners; amends KRS 35.060 regarding prohibiting punishment before trial; amends KRS 35.065 regarding delivering the offender to civil authorities; amends KRS 35.070 regarding nonjudicial punishment that the commanding officer may prescribe; amends KRS 35.075 classifying the two types of court-martial; amends KRS 35.080 regarding jurisdiction of court-martial in general; amends KRS 35.085 regarding the jurisdiction of general court-martial; amends KRS 35.090 regarding the jurisdiction of special courts-martial; amends KRS 35.105 to outline who may convene a general court-martial; amends KRS 35.110 to outline who may convene a special court-martial; amends KRS 35.120 to outline who may serve on courts-martial; amends KRS 35.125 regarding the military judge of a general or special court-martial; amends KRS 35.130 regarding the detail of trial counsel and defense counsel; amends KRS 35.140 regarding the detail or employment of court reporters and interpreters; amends KRS 35.150 regarding charges and specifications; amends KRS 35.155 prohibiting compulsory self-incrimination; amends KRS 35.160 regarding the investigation of charges and specifications; amends KRS 35.165 regarding forwarding the charges; amends KRS 35.170 regarding the advice of judge advocates and reference for trial; amends KRS 35.175 regarding service of charges upon the accused; amends KRS 35.180 providing that the Governor or adjutant general may prescribe rules; amends KRS 35.185 regarding unlawfully influencing action of the court; amends 35.190 regarding the duties of trial counsel and defense counsel; amends KRS 35.195 regarding action permitted by the military judge alone and when members exclusively must be present; amends KRS 35.200 regarding continuances; amends KRS 35.205 regarding challenges; amends KRS 35.210 regarding oaths and affirmations; amends KRS 35.215 to extend the statute of limitations for most crimes from two to three years and suspend the tolling of the statute of limitations during times of war for certain crimes; amends KRS 35.220 regarding former jeopardy; amends KRS 35.225 regarding pleas of the accused; amends KRS 35.230 regarding opportunity to obtain witnesses and other evidence; amends KRS 35.235 regarding refusal to appear or testify; amends KRS 35.240 regarding contempt; amends KRS 35.245 regarding depositions; amends KRS 35.250 regarding the admissibility of records of courts of inquiry; creates a new section of KRS Chapter 35 to establish a defense of lack of mental responsibility; amends KRS 35.255 regarding voting and rulings; amends KRS 35.260 regarding the number of votes required; amends KRS 35.265 regarding the announcement of a decision; amends KRS 35.270 regarding the record of trial; amends KRS 35.275 prohibiting cruel and unusual punishments; creates a new section of KRS Chapter 35 regarding maximum limits; amends KRS 35.280 regarding effective dates of sentences; creates a new section of KRS Chapter 35 relating to the deferment of sentences;

amends KRS 35.285 regarding execution of confinement; creates a new section of KRS Chapter 35 relating to the reduction of enlisted grade upon approval as part of sentencing; creates a new section of KRS Chapter 35 relating to the forfeiture of pay and allowances confinement as part of sentencing; amends KRS 35.325 regarding error of law and lesser included offenses; creates a new section of KRS Chapter 35 regarding action by the convening authority; creates a new section of KRS Chapter 35 regarding withdrawal of appeal; creates a new section of KRS Chapter 35 regarding appeal by the state; repeals, reenacts as a new section of KRS Chapter 35, and amends Section 35.310 regarding rehearings; creates a new section of KRS Chapter 35 regarding review by the state judge advocate; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.320 regarding the disposition of records after review by the convening authority; creates a new section of KRS Chapter 35 regarding review by the state appellate authority; creates a new section of KRS Chapter 35 regarding appellate counsel; creates a new section of KRS Chapter 35 regarding execution of sentence and suspension of sentence; amends KRS 35.340 regarding vacation of a suspension; amends KRS 35.345 regarding petitioning for a new trial; amends KRS 35.350 regarding remission or suspension of a sentence; amends KRS 35.355 regarding the restoration of rights, privileges, and property affected by a sentence that is set aside or disapproved; amends KRS 35.360 regarding the finality of proceedings, finding, and sentence; creates a new section of KRS Chapter 35 regarding leave required to be taken pending review of certain court-martial convictions; creates a new section of KRS Chapter 35 regarding lack of mental capacity or mental responsibility and the commitment of the accused for examination and treatment; amends KRS 35.440 regarding principals; creates a new section of KRS Chapter 35 regarding the crime of accessory after the fact; amends KRS 35.445 regarding conviction of a lesser included offense; amends KRS 35.450 regarding attempts; amends KRS 35.451 regarding conspiracy; amends KRS 35.470 regarding solicitation or advice to desert or commit mutiny; amends KRS 35.471 regarding fraudulent enlistment, appointment, or separation; amends KRS 35.472 regarding unlawful enlistment, appointment, or separation; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.460 regarding desertion; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.461 regarding absence without leave; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.462 regarding missing movement; amends KRS 35.476 regarding contempt for President or Governor; creates a new section of KRS Chapter 35 regarding disrespect toward a superior commissioned officer; amends KRS 35.481 regarding assaulting or willfully disobeying a superior commissioned officer; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.480 regarding insubordinate conduct toward a warrant officer, noncommissioned officer, or petty officer; amends KRS 35.491 regarding failure to obey an order or regulation; amends KRS 35.575 regarding cruelty and maltreatment; repeals, reenacts as a new section of KRS Chapter 35 and amends KRS 35.465 regarding mutiny or sedition; amends KRS 35.580 regarding resistance, flight, breach of arrest, and escape; amends KRS 35.585 regarding releasing a prisoner without proper authority; amends KRS 35.590 regarding unlawful detention of another; amends KRS 35.595 regarding noncompliance with procedural rules; amends KRS 35.600 regarding misbehavior before the enemy; amends KRS 35.605 regarding a subordinate compelling surrender; creates a new section of KRS Chapter 35 regarding improper use of a countersign; creates a new section of KRS Chapter 35 regarding forcing a safeguard; amends KRS 35.620 regarding mishandling captured or abandoned property; amends KRS 35.625 regarding aiding the enemy; amends KRS 35.630 regarding misconduct as a prisoner; amends KRS 35.635 regarding false official



statements; creates a new section of KRS Chapter 35 regarding the loss, damage, destruction, or wrongful disposition of military property; amends KRS 35.640 regarding waste, spoilage, or destruction of property other than military property; creates a new section of KRS Chapter 35 regarding improper hazarding of a vessel; amends KRS 35.645 regarding driving under the influence or reckless driving; amends KRS 35.650 regarding being drunk on duty; creates a new section of KRS Chapter 35 regarding the wrongful use or possession of controlled substances; creates a new section of KRS Chapter 35 regarding misbehavior of a sentinel; creates a new section of KRS Chapter 35 regarding dueling; amends KRS 35.660 regarding malingering; amends KRS 35.665 regarding riot or breach of peace; creates a new section of KRS Chapter 35 regarding provoking speeches or gestures; creates a new section of KRS Chapter 35 regarding rape and sexual assault; creates a new section of KRS Chapter 35 regarding stalking; creates a new section of KRS Chapter 35 regarding other sexual misconduct; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.670 regarding larceny and wrongful appropriation; creates a new section of KRS Chapter 35 regarding robbery; creates a new section of KRS Chapter 35 regarding forgery; creates a new section of KRS Chapter 35 regarding making, drawing, or uttering a check, draft, or order without sufficient funds; creates a new section of KRS Chapter 35 relating to maiming; creates a new section of KRS Chapter 35 regarding arson; creates a new section of KRS Chapter 35 regarding extortion; creates a new section of KRS Chapter 35 regarding burglary; creates a new section of KRS Chapter 35 regarding housebreaking; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.455 regarding perjury; creates a new section of KRS Chapter 35 regarding frauds against the government; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.475 regarding conduct unbecoming an officer; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.680 regarding general misconduct; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.375 regarding courts of inquiry; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.380 regarding authority to administer oaths and act as a notary; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.385 regarding an explanation of the code and furnishing of the text; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.390 regarding complaints of wrongs; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.395 regarding redress of injuries to property; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.425 regarding delegation by the Governor; creates a new section of KRS Chapter 35 regarding payment of fees, costs, and expenses; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.410 regarding payment and disposition of fines; creates a new section of KRS Chapter 35 regarding uniformity of interpretation; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.415 regarding immunity for action of military courts; creates a new section of KRS Chapter 35 regarding severability; repeals, reenacts as a new section of KRS Chapter 35, and amends KRS 35.430 regarding the title of the chapter; creates a new section of KRS Chapter 35 regarding the superseding of existing state military code of justice by this revision; repeals KRS 35.025, KRS 35.040, KRS 35.095, KRS 35.115, KRS 35.295, KRS 35.305, KRS 35.330, KRS 35.335, KRS 35.370, KRS 35.405, KRS 35.436, KRS 35.485, and KRS 35.565; creates a new section of KRS Chapter 95A to direct the Commission of Fire Protection Personnel Standards and Education to develop procedures for accepting military training and service toward firefighter certification; creates a new section of KRS Chapter 311A to direct the Board of Emergency Medical Services to allow direct reciprocity for initial Kentucky certification as an emergency medical technician for members of

the United States military; urge all board and commissions to review military training and when possible accept military training and service toward licensure and certification in various occupational specialties; amends KRS 56.820 to allow the Commissioner of the Department for Facilities Management on behalf of the Department for Military Affairs to award a built-to-suit lease under KRS Chapter 45A without conveyance of title on property in Fayette County, Kentucky; amends KRS 132.195 to exempt property in Fayette County, Kentucky, administered by the Department of Military Affairs, Bluegrass Station Division, from state and local taxation on leasehold interests; creates a new section of KRS Chapter 2 naming and designating the Kentucky Long Rifle as the official gun of the Commonwealth of Kentucky; amends KRS 237.110 to allow military firearms training to meet the firearms training requirement to obtain a concealed carry license; designate Kentucky as a Purple Heart State; EMERGENCY.

**HB 172**

AN ACT relating to relating to emergency anaphylaxis medications in schools.

Amends KRS 158.836 to establish protocols and to require a student who has a documented life-threatening allergy to have an epinephrine auto-injector provided by his or her parent or guardian in his or her possession or in the possession of designated school personnel, to encourage schools to maintain epinephrine auto-injectors in a minimum of two locations in the school, to require schools electing to keep epinephrine auto-injectors to maintain them in a secure, accessible, but unlocked location, to require that protocols be developed by the Kentucky Department for Public Health in collaboration with local health departments or local clinical providers, and local schools and districts, and to exempt authorized persons from civil liability for administering or assisting with the administration of epinephrine.

**HB 173**

AN ACT relating the motor vehicles leased by units of government.

Amends KRS 186.060, regarding official license plates for vehicles leased or owned by local units of government, to clarify the eligibility of vehicles leased by local governments to bear official plates.

**HB 174**

AN ACT relating to transit tags for motor vehicles.

Creates a new section of KRS Chapter 186 to establish a transit tag for vehicles purchased in Kentucky to be transported out of state, to limit issuance of a transit tag to motor vehicles ineligible for permanent or temporary registration in Kentucky, to require the Transportation Cabinet to promulgate administrative regulations to establish application forms and issuance procedures, to require proof of vehicle ownership and insurance coverage as part of the application for a transit tag, to make transit tags valid for 15 days from issuance, to require the expiration date be shown on the face of the tag in a tamper-resistant manner, and to exempt licensed motor vehicle dealers and distributors from the provisions of the Act; effective January 1, 2014.

**HB 176**

AN ACT relating to cosmetologists.

Amends KRS 317A.155 to allow a licensed cosmetologist or nail technician who practices in a salon licensed by the Kentucky Board of Hairdressers and Cosmetologists to render

services to a terminal patient receiving the services of hospice either at home or in a hospice inpatient unit.

**HB 177**

AN ACT relating to misrepresenting military status.

Amends KRS 434.444, the Kentucky Stolen Valor Act, to clarify that misrepresentation of military status must be for the purpose of monetary gain.

**HB 179**

AN ACT reclassifying the City of Pembroke.

Reclassifies the City of Pembroke in Christian County from a city of the sixth class to a city of the fifth class.

**HB 180**

AN ACT relating to educator effectiveness and evaluation.

Amends KRS 156.557 to require the Kentucky Board of Education to establish a statewide system of evaluation for all certified personnel, to require the Department of Education, in consultation with teacher and principal steering committees, to develop the system prior to the 2014-2015 school year, to specify criteria for the statewide plan, to delete the three-phase alternative evaluation plan, and to allow waiver of evaluation plan under certain conditions.

**HB 181**

AN ACT relating to financial aid for pharmacy students.

Amends KRS 164.7890 to limit the coal-producing county pharmacy scholarship amount to 40 percent of the average of pharmacy school tuition in the United States.

**HB 182**

AN ACT relating to school funding.

Amends KRS 157.350 to allow, under certain conditions, SEEK funding to be distributed to schools that employ teachers who reside outside the district boundary but whose children attend the district in which the teacher is employed, and to allow tuition fees to be waived for a nonresident pupil who attends a district in which a parent of the pupil is employed; amends KRS 158.120 to conform.

**HB 184**

AN ACT relating to reorganization.

Amends KRS 12.023 to attach the Early Childhood Advisory Council to the Office of the Governor; amends KRS 200.700 to change the board membership of the council; amends various sections to change the name of the Early Childhood Development Authority to the Early Childhood Advisory Council and to conform; repeals KRS 200.709; confirms Executive Order 2012-586.



**HB 192**

AN ACT relating to judgment liens.

Amends KRS 426.720 to allow a judgment lien to be served on the debtor's or creditor's attorney of record.

**HB 205**

AN ACT designating Ale-8-One as an original Kentucky soft drink.

Creates a new section of KRS Chapter 2 to designate Ale-8-One as an original Kentucky soft drink.

**HB 207**

AN ACT relating to reorganization.

Amends KRS 12.020 to remove the Office of Career and Technical Education and the Kentucky Technical Education Personnel Board from the Education and Workforce Development Cabinet and to place the Kentucky Technical Education Personnel Board under the Department of Education; repeals, reenacts, and amends KRS 151B.010 to establish the authority of the commissioner of education over the Office of Career and Technical Education; amends KRS 151B.020 to remove the Office of Career and Technical Education and the Kentucky Technical Education Personnel Board from the Education and Workforce Development Cabinet; repeals, reenacts, and amends KRS 151B.025 to create the office of Career and Technical Education within the Department of Education, to clarify the role of the Kentucky Board of Education, the disposition of state leadership activities and funds, and the assumption of responsibilities by the commissioner previously held by the executive director; repeals, reenacts, and amends KRS 151B.030 to attach the Kentucky Technical Education Personnel Board to the Department of Education for administrative purposes; repeals, reenacts, and amends KRS 151B.035 to establish the authority of the Kentucky Board of Education to promulgate administrative regulations, personnel policies, and procedures relating to staff in the Office of Career and Technical Education; creates a new section of KRS Chapter 156 to establish the Career and Technical Education Advisory Committee and its membership; creates a new section of KRS Chapter 156 to permit a local board of education to petition the commissioner of education to assume management and control of a state-operated secondary vocational education and technology center and clarify issues relating to transfer of employees; creates a new section of KRS Chapter 156 to permit a local board of education to relinquish management and control of a vocational education center to the Department of Education and clarify issues relating to the transfer of employees; repeals, reenacts, and amends various sections of KRS Chapter 151B as new sections of KRS Chapter 156 to conform; repeals and reenacts KRS 151B.125 to 151B.130 and KRS 151B.410 as new sections of KRS Chapter 164 to place the Kentucky Adult Education Program with related statutes; amends KRS 158.814 to authorize the department to implement a comprehensive plan of secondary career and technical education programs in consultation with the Career and Technical Education Advisory Committee; repeals KRS 151B.250 and 151B.255; amends various sections to conform; clarifies procedures for merging Office of Career and Technical Education components and employees within the department; clarifies benefit protections of employees; confirms Executive Order 2012-737.

### **HB 212**

AN ACT relating to clean and alternative transportation fuels.

Creates new sections of KRS Chapter 186 to define “clean transportation fuel,” “conversion,” “liquefied petroleum gas,” and other terms associated with the retrofitting of vehicles to operate on liquefied or compressed natural gas, to require safety inspections of vehicles burning natural gas, and to authorize the Transportation Cabinet to promulgate administrative regulations with regard to these inspections; amends KRS Chapter 152.715 and 720 to include compressed and liquefied natural gas in the definition of “alternative transportation fuels” and include Kentucky’s public and private colleges in the state strategy for developing those fuels; amends KRS Chapter 154.20-400 to include local government entities in the definition of “eligible company” for the alternative fuel and renewable energy program; amends KRS 154.20-410 and 415 to conform; repeals, reenacts, and amends KRS 45A.625 to extend the deadline for the Finance and Administration Cabinet to develop a strategy to replace fleet vehicles with models that burn alternative transportation fuels and report to LRC; amends KRS 156.153 to direct the Department for Education to consider allowing school buses powered by natural gas; amends KRS 234.321 to allow compliance with federal or state standards when exempting vehicles burning liquefied petroleum gas from tax.

### **HB 217**

AN ACT relating to controlled substances and declaring an emergency.

Amends KRS 218A.172 to modify the diagnostic and treatment protocols for controlled substance prescribing; amends KRS 218A.175 to clarify the educational requirements for certain pain management facility employees; amends KRS 218A.202 to allow hospitals and long-term-care facilities to have KASPER accounts; amends KRS 218A.205 to modify the scope of Board of Medical Licensure regulations and make the criminal record check required for licensure of persons prescribing or dispensing controlled substances a statutory rather than a regulatory requirement; amends KRS 315.335 to modify the reporting requirements for pharmacy thefts and robberies; EMERGENCY.

### **HB 219**

AN ACT relating to rebuilt title applications.

Amends KRS 186.115 to require the Transportation Cabinet to accept rebuilt title applications in Frankfort.

### **HB 220**

AN ACT relating to preschool funding for children.

Amends KRS 157.3175 to set the date of preschool eligibility for at risk children who are four years of age by August 1, effective in 2017, to require that funding be based on the average number of eligible children served on December 1 and March 1 of the prior academic year, and to establish preschool eligibility requirements for children identified as at risk or disabled; repeals KRS 157.226.

### **HB 221**

AN ACT relating to local option elections.

Creates a new section of KRS Chapter 242 to exempt listed projects or districts from a precinct vote in favor of prohibition if the precinct is located either partially or entirely within a

qualifying city, to define a qualifying city as one with a total population of at least 12,000 within its municipal boundaries based on the most recent decennial census, to exclude preexisting entertainment destination centers, theme restaurant destination attraction projects, and districts of special interest from a precinct-level vote in favor of prohibition, to limit the exemption for districts of special interest to those districts that are designated as an entertainment district and that have a minimum city government investment of \$5,000,000 in infrastructure or other public space, and to forbid changes to the boundaries of a district of special interest after the submission of a prohibition petition unless the resulting vote is against prohibition.

**HB 222**

AN ACT relating to a crime victim address protection program within the Department of State.

Creates new sections in KRS Chapter 14 to establish a crime victim address protection program for victims of domestic violence and abuse, stalking, and felony sexual offenses, to allow crime victims to use an address provided by the Secretary of State in lieu of the person's actual physical address, and to allow program participants to vote by mail-in absentee ballot; amends KRS 117.085 to conform.

**HB 232**

AN ACT relating to debts owed to local governments.

Amends KRS 44.001 to define terms; amends KRS 44.030 to require offset of monetary claims against the state if the claimant is indebted to the state or any local government, if the local government provides necessary information concerning the debt, to require monetary claims against any local government to be similarly offset if the claimant is indebted to the state; amends KRS 45.237 to define terms, to permit a local government, in certain circumstances, to refer debts to the Department of Revenue for collection action as state agencies currently do; amends KRS 45.238 to provide terms and conditions for the collection of local government debts by the department; amends KRS 45.241 to make conforming changes relating to referral of liquidated debts to the department for collection; amends KRS 131.030 to grant the department the powers necessary to collect local government debts; amends KRS 131.565 to allow for the offset of individual income tax refunds if the claimant is indebted to a local government; amends KRS 131.570 to conform.

**HB 234**

AN ACT relating to the State Investment Commission.

Amends KRS 42.500 to adjust how funds may be invested to align with current practices and strengthen loss protection, and to adopt correct terminology as used by the Securities and Exchange Commission for credit rating agencies.

**HB 238**

AN ACT relating to the Court of Justice, making an appropriation therefor, and declaring an emergency.

Amends KRS 401.020 and 401.030 relating to change of name for a child under 18, to permit the action for change of name to be filed in the Family Court of a county with a Family Court or the Circuit Court of a county without a Family Court if the Family Court or Circuit Court has a case involving the family pending before it, as well as in the District Court; amends

KRS 401.010 and 401.040 to conform; creates a new section of KRS 27A requiring any update to or replacement of the centralized criminal history database to allow redesignation of cases which were filed as felonies but result in only a misdemeanor conviction; requires the State Property and Buildings Commission or the Kentucky Asset/Liability Commission to issue any authorized agency bonds on behalf of the judicial branch of the Commonwealth; makes an appropriation for agency bonds for Phase 1 E-Case and Docket Management system; EMERGENCY.

#### **HB 240**

AN ACT relating to reorganization.

Amends KRS 12.020 to create the Office for Education and Workforce Statistics and the Board of the Kentucky Center for Education and Workforce Statistics; creates new sections of KRS Chapter 151B to establish the duties of the Office for Education and Workforce Statistics and the Kentucky Center for Education and Workforce Statistics, and to clarify which public agencies shall contribute education and workforce data to the system; confirms Executive Order 2012-1029.

#### **HB 252**

AN ACT relating to reclassification of cities.

Reclassifies the City of Eddyville in Lyon County from a city of the fifth class to a city of the fourth class; reclassifies the City of Burnside in Pulaski County from a city of the fifth class to a city of the fourth class; reclassifies the City of Taylorsville in Spencer County from a city of the fifth class to a city of the fourth class; reclassifies the City of Ryland Heights in Kenton County from a city of the sixth class to a city of the fifth class.

#### **HB 260**

AN ACT relating to tax increment financing.

Amends KRS 154.30-050 to allow the Kentucky Economic Development Finance Authority to reduce the minimum capital investment required on certain signature TIF projects from \$200 million to \$150 million if those projects were approved after January 1, 2008, but before January 1, 2013, and to require the revenue available for recovery to be reduced accordingly.

#### **HB 261**

AN ACT relating to taken wildlife.

Creates a new section of KRS Chapter 150 to define “mounted wildlife specimen,” to require the Department of Fish and Wildlife Resources to promulgate administrative regulations allowing any person or entity to sell or buy mounted wildlife specimens except as prohibited under federal law, to require the department to record transactions for mounted wildlife specimens for white-tailed deer, elk, bears, turkeys, and bobcats, and to exempt mounted wildlife specimens sold to or purchased from licensed taxidermists under KRS 150.4111 from the requirements of the section; creates a new section of KRS Chapter 150 to define “gross score,” to require the gross score for white-tailed deer and elk to be calculated using the Boone and Crockett Club’s scoring manual by an official scorer, to allow measurements to be taken at any time, with no drying time being required; establishes enhanced restitution values for illegally taken white-tailed deer, elk, bears, turkeys, and bobcats, to allow the commissioner or designee

to bring a civil action to recover the restitution values owed, to revoke hunting licenses and privileges for persons owing restitution, and to specify that the restitution required under this section is in addition to all other penalties and restitution established by KRS Chapter 150 and related administrative regulations.

**HB 269**

AN ACT relating to the Kentucky Environmental Education Council.

Amends KRS 157.915 to clarify that the Kentucky Environmental Education Council shall include the central office of the Kentucky Community and Technical College System in the coordination of postsecondary education environmental activities.

**HB 272**

AN ACT relating to special Purple Heart motor vehicle license plates.

Amends KRS 186.166 to require the design of the Purple Heart license plate to include a picture of the Purple Heart medal and the words "Combat Wounded"; requires the design change to take effect at the next replating of the Purple Heart license plate.

**HB 273**

AN ACT relating to the operation of mini-trucks.

Creates a new section of KRS Chapter 189 to establish exemptions allowing the operation of a mini-truck on a public highway or roadway or the right-of-way of any public highway or roadway, to permit the operation of a mini-truck by persons possessing a valid operator's license who are crossing a two-lane public highway with a mini-truck if travel is two-tenths of a mile or less or who are engaged in farm or agricultural-related activities, construction, road maintenance, or snow removal, to require mini-truck operators to comply with applicable traffic regulations, and to restrict the operation of mini-trucks to daylight hours, except when engaged in snow removal or emergency road maintenance.

**HB 279**

AN ACT relating to construction of the law.

Creates a new section of KRS Chapter 446 to prohibit government from substantially burdening a person's or religious organization's freedom of religion, to protect the right to act or refuse to act on sincerely held religious grounds, to require government to prove by clear and convincing evidence a clear and compelling interest in establishing a burden on the freedom of religion and that government has used the least restrictive means of furthering that government interest, and to specify what constitutes a burden.

**HB 281**

AN ACT relating to land conservation and making an appropriation therefor.

Amends KRS 146.560 to allow the Kentucky Heritage Land Conservation Fund to make grants to private, nonprofit land trust organizations and to require dollar-for-dollar match of funds allocated; amends KRS 146.570 to allow the board to promulgate administrative regulations to allow grants to be made to private, nonprofit land trust organizations that match dollar-for-dollar.

### **HB 290**

AN ACT relating to the external child fatality and near fatality review panel.

Creates a new section of KRS Chapter 620 to establish an external child fatality and near fatality review panel, to establish the panel's membership and requirements and conditions of individual panel members, to establish the panel's authority to request unredacted case files and establishes how the panel gets copies of the case files, to require the panel to post updates after each meeting to the Web site of the Justice and Public Safety Cabinet regarding case reviews, findings, and recommendations, to require the panel chairperson, or other requested persons, to report a summary of the panel's discussions and proposed or actual recommendations to the Interim Joint Committee on Health and Welfare of the Kentucky General Assembly monthly or at the request of a committee co-chair, to require the panel to publish an annual report to submit to the Governor, the secretary of the Cabinet for Health and Family Services, the Chief Justice of the Supreme Court, the Attorney General, and the director of the Legislative Research Commission, to clarify the confidentiality of records, to permit the panel to meet in closed session, to clarify that panel members and those attending or testifying at meetings shall not release information or records not available under the Kentucky Open Records Act, KRS 61.870 to 61.884, to the public, and to require an annual evaluation beginning in 2014 by the Legislative Program Review and Investigations Committee of the Kentucky General Assembly; amends KRS 620.050 to allow records to be provided to the panel.

### **HB 295**

AN ACT relating to farm and construction retail agreement contracts.

Amends various sections of KRS 365.800 to 365.840 to define "terminate" and "termination," to clarify the existence of consent in retail agreement contracts, to declare public policy, and to establish applicable effective dates.

### **HB 313**

AN ACT relating to motor vehicles.

Amends KRS 132.020 to clarify that motor vehicles that are in the possession of a licensed motor vehicle dealer or auction dealer for the purposes of sale, where ownership has not been transferred to that dealer, must be taxed as goods held for sale in the regular course of business as with all other motor vehicles held for sale in the inventory of a licensed dealer; amends KRS 132.028 to make similar clarification changes for purposes of the property tax levied on business inventories by cities or urban-county governments; amends KRS 132.200 to clarify that motor vehicles that are in the possession of a licensed motor vehicle dealer or auction dealer for the purposes of sale, where ownership has not been transferred to that dealer, are exempt from local property taxation as with all other motor vehicles held for sale in the inventory of a licensed dealer; amends KRS 134.810 to conform.

### **HB 315**

AN ACT relating to alcoholic beverages.

Amends KRS 243.150 to allow a brewery to serve samples produced at the brewery, on brewery premises, in amounts not to exceed 16 ounces per patron per day if the brewery is located in wet territory.



**HB 319**

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

Appropriates funds to pay claims against the Commonwealth; EMERGENCY.

**HB 320**

AN ACT relating to consolidated local governments.

Amends KRS 67C.117 to clarify the source of the minority percentage in the employment requirements for the consolidated local government; amends KRS 67C.119 to change the amount required for a contract to be subject to advertising requirements and contractor prequalification from \$10,000 to the small purchase amount in KRS 45A.385, and to change the time in which the contract amount is to be measured from calendar year to fiscal year; amends KRS 67C.323 to make the chief and the officer real parties in interest to an appeal as provided in KRS 67C.323(3)(a); amends KRS 100.137 to allow a designee of the director of public works for a consolidated local government to be a member of the planning commission; amends KRS 100.214 to change the notice of hearing on a proposed zoning change from 30 days to at least 14 days, and the time in which a petition of property owners may request a hearing date change.

**HB 338**

AN ACT relating to city-operated natural gas distribution systems.

Creates a new section of KRS Chapter 96 to grant any city that owns or operates a natural gas system the right to extend the system and sell natural gas within and outside city boundaries, to allow a city to install apparatus for distribution outside city boundaries and acquire rights-of-way and condemn property, to allow any city, except a consolidated local government, to acquire an existing natural gas plant, subject to KRS 96.580 to 96.600, to prohibit the condemnation of a natural gas plant within the Commonwealth by cities in another state, to prohibit the extension and sale of natural gas into territory currently served by a natural gas utility, to prohibit the extension and sale of natural gas when there is another gas utility closer, and to clarify that certain prohibitions relating to service line extensions apply only to municipal gas utilities and private or investor-owned natural gas utilities.

**HB 340**

AN ACT relating to the Department of Kentucky State Police.

Amends various sections in KRS Chapter 16 to create the position of commercial vehicle enforcement officer R class to allow the employment on a one-year contractual basis of retired commercial vehicle officers.

**HB 343**

AN ACT relating to business identification numbers.

Creates a new section of KRS Chapter 14 to require the Secretary of State, the Finance and Administration Cabinet, the Cabinet for Economic Development, Commonwealth Office of



Technology, and the Education and Workforce Development Cabinet to jointly establish a unique Commonwealth business identification number.

### **HB 354**

AN ACT relating to school safety.

Creates a new chapter of KRS 158 to require adoption and annual review of a school emergency plan, with plan and diagram of the school facility provided to appropriate first responders; specifies that the emergency plan and facility diagram are not subject to open records requests; requires emergency drills within the first month of school and January, and requires an annual report to the Department of Education; amends KRS 158.163 to require safety drills within the first month of school and January; amends KRS 158.164 to require a lockdown practice with local law enforcement to assist, to occur within the first month of school and January; creates a new chapter of KRS 158 to require local boards to review Crime Prevention Through Environment Design principles when constructing/renovating school buildings; requires the Department of Education to develop protocols to notify schools of prior offenses of a student per KRS 610.345; encourages chiefs of police and sheriffs to receive training on school and student safety and to be invited to meet annually with school superintendents to discuss emergency plans and response concerns; amends KRS 160.345 to require school councils to adopt emergency plans.

### **HB 361**

AN ACT relating to the taxation of tobacco products.

Amends KRS 138.130 to define and redefine terms; amends KRS 138.140 to replace the tax imposed on wholesalers of moist snuff and other tobacco products with an excise tax on distributors for the privilege of selling tobacco products in this state, effective August 1, 2013, to tax snuff at 19 cents per unit, to tax chewing tobacco at 19 cents per single unit, 40 cents per half-pound unit, or 65 cents per pound unit, to tax each increment of four ounces or more over 16 ounces at 19 cents, and to tax all tobacco products, except snuff and chewing tobacco, at 15 percent of the distributor's sales price; amends KRS 138.195 to require a \$500 license fee to be paid annually by each distributor and a \$100 license fee to be paid annually by each retail distributor, to allow distributors and retail distributors to retain 1 percent of the tax due for timely reporting and paying the tax, to require monthly reporting by manufacturers of tobacco products, and to require the distributor to report and pay the tax on a monthly basis; creates new sections of KRS 138.130 to 138.205 to require manufacturers, distributors, retail distributors, and retailers to keep records for not less than four years, to provide for the seizure, forfeiture, and destruction of contraband tobacco products and the seizure, forfeiture, and sale of personal property used in connection with the sale or possession of contraband tobacco products, and to provide that reporting requirements are effective July 1, 2013; provides that contraband provisions are effective January 1, 2014; provides that remaining sections are effective August 1, 2013.

### **HB 366**

AN ACT relating to physical and health services and declaring an emergency.

Amends KRS 309.325 to establish definitions for apprentice diabetes educator and master licensed diabetes educator; creates new sections of KRS 309.325 to 309.339 to establish the permit and licensure requirements for apprentice diabetes educators and master licensed diabetes educators; amends KRS 211.400, relating to the Kentucky Physicians Care Program, to include

underinsured individuals and the Kentucky Free Health Clinic Association and require the Cabinet for Health and Family Services to promulgate administrative regulations to set eligibility criteria; amends KRS 205.560 to require the Department for Medicaid Services to require provider credentialing to be completed within 15 days; creates a new section of KRS Chapter 205 to define the IMPACT Plus program, to permit providers to deliver services to children after the children leave the IMPACT Plus program and outside their region of residence if the provider is appropriately credentialed, to require Medicaid managed care organizations (MCOs) that contract with the Department for Medicaid Services, to the extent possible under the Title V agreement, to manage aspects of the IMPACT Plus program, to prohibit requirement for providers to have a medical assistance identification number, to permit MCOs to identify gaps in services, and to permit the cabinet to fill verified gaps in service; creates a new section of KRS 217.005 to 217.215 to exempt licensed health care providers from disciplinary action for prescribing or dispensing naloxone for an opioid overdose; creates a new section of KRS 217.005 to 217.215 to allow a prescription for naloxone to be written with an authorization for a third-party individual to administer the drug and provides that the third-party individual who administers naloxone in good faith is immune from criminal and civil liability; amends KRS 304.17A-139 to require coverage of 100 percent human diet for extremely low birth weight, premature infants under a health benefit plan's prescription drug coverage; creates new sections of KRS Chapter 211 to establish an advisory committee to review Kentucky's system of perinatal care and make recommendations for the improvement of perinatal outcomes within the Cabinet for Health and Family Services and to establish definitions, duties, and membership of the committee; creates a new section of KRS Chapter 211 to require instances of neonatal abstinence syndrome that are diagnosed among Kentucky resident births to be reported to the Kentucky Department for Public Health; creates a new section of KRS Chapter 211 to make all information reported to the advisory committee to review Kentucky's system of perinatal care privileged and confidential and not subject to Kentucky's Open Records Act, to prohibit disclosure to any person or entity, and to make information reported or furnished to committee not subject to subpoena, court order, or discovery; creates a new section of KRS Chapter 211 to define terms used in the Health Access Nurturing Development Services program and to require agencies that receive state funds for the program to abide by the definitions and to demonstrate that it is part of a system of care, and to report data to the Department for Public Health; creates a new section of KRS Chapter 14 to allow the Secretary of State to expand the established address confidentiality program; creates effective date of July 1, 2014, for requirement of certain persons to hold license or permit to engage in practice of diabetes education; EMERGENCY for requirement of certain Medicaid provider credentialing under KRS 205.560.

**HB 378**

AN ACT relating to impaired waters.

Creates a new section of Subchapter 70 of KRS Chapter 224 to define terms, to require the Energy and Environment Cabinet to maintain a listing of impaired waters placed on the 303(d) list and to make that list available on the cabinet's Web site, to clarify that the public has opportunity for review and public comment on total maximum daily loads (TMDL), to specify a 60-day period for review and comment, and to provide that any removal of a water from the impaired water listing will comply with applicable laws and regulations, to require the cabinet to prepare a report by December 31 each year to the Interim Joint Committee on Natural Resources

and Environment on TMDL development for the following year; creates delayed effective date for the Web site listing of impaired waters and total maximum daily loads.

### **HB 385**

AN ACT relating to personal representatives.

Amends KRS 395.605 to provide that with respect to informal settlements, the fiduciary's oath regarding payment of estate and inheritance taxes relates to final settlements and not periodic settlements; amends KRS 311.625 to provide that an employee, owner, director, or officer of a health care facility where a grantor is a resident or patient may be designated or act as surrogate if the person is a member of the same fraternal order.

### **HB 390**

AN ACT relating to urban-county government civil service.

Amends KRS 67A.240 to expand the urban-county government civil service's veterans hiring preference to include veterans who served during the Persian Gulf War, Operation Iraqi Freedom, and Operation Enduring Freedom, to expand the urban-county government civil service eligible list from five applicants to all qualified applicants, and to allow the appointing authority to promulgate administrative regulations; amends KRS 67A.270 to require appointments to be made from a list of all eligible individuals and to remove the limit on the number of times a person can be certified to the same appointing authority for the same or similar position.

### **HB 427**

AN ACT relating to judges.

Amends KRS 118.105, KRS 118.115, KRS 118.125, KRS 118.165, KRS 118.305, KRS 118.315, KRS 118.325, KRS 118.375, KRS 118A.100, and KRS 118A.080 to prohibit a judge acting as a senior status special judge from becoming a candidate for any elected office during the five-year term prescribed in KRS 21.580 regardless of the number of days served by the judge acting as a senior status special judge.

### **HB 430**

AN ACT relating to policemen's and firefighters' retirement funds of urban-county governments and declaring an emergency.

Amends KRS 67A.345 to allow members of an urban-county government's policemen's and firefighters' retirement fund who withdraw on a certificate under the changes established by this Act to participate and receive benefits under the urban-county government's health plan; amends KRS 67A.360 to define "participation date" and "actuarial funding level"; amends KRS 67A.390 to prohibit, effective July 1, 2013, a member who retires and returns to work in a position eligible to participate in the urban-county government's policemen's and firefighters' retirement fund from earning a second retirement annuity; amends KRS 67A.402 to prohibit new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act from purchasing service credit in the fund, except for up to four years of active duty military service and provided they purchase the service between five and 10 years of service in the fund, and to prohibit new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act from using service

purchased under this section to determine eligibility for retirement; amends KRS 67A.410 to limit current members of the urban-county government's policemen's and firefighters' retirement fund from retiring at any age with 20 years of total service unless they retire prior to July 1, 2013, to require current members who retire on or after July 1, 2013, to be at least 41 years of age and have at least 20 years of total service in the fund before retiring, to require new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act to be at least age 50 and have at least 25 years of membership service in the fund before retiring, to allow current members to withdraw from service prior to age 41 and receive a certificate entitling them to a retirement benefit when they are age 41 provided they have at least 20 years of service in the fund, to allow new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act to withdraw from service prior to age 50 and receive a certificate entitling them to a retirement benefit when they are age 50 provided they have at least 25 years of membership service in the fund, and to set surviving spouse benefits of a member who withdraws under a certificate issued under this section and who dies prior to the member becoming eligible for benefits, at the survivorship option selected by the member; amends KRS 67A.420 to provide that new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act shall not be subject to compulsory retirement provision until they have at least 25 years of service; amends KRS 67A.430 to set a 2.25 percent retirement annuity factor for each year of service in the fund for new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act; amends KRS 67A.440 to increase the minimum death-in-the-line-of-duty benefits paid to the surviving spouse of a member of the urban-county government's policemen's and firefighters' retirement fund from 60 percent to 75 percent of the member's last rate of salary, to increase the maximum combined line-of-duty death benefit paid to the surviving spouse and dependent children of a deceased member who died in the line of duty from 75 percent to 100 percent of the member's last rate of salary, and to provide that a surviving spouse who is drawing a benefit under this section on July 1, 2013, shall have his or her benefit increased to the amount provided under this section; amends KRS 67A.460 to establish occupational disability benefit payments for current and future members of the urban-county government's policemen's and firefighters' retirement fund at 50 percent of the member's last rate of pay if the member's disability rating is less than 20 percent and the disability is the result of documented injuries occurring on or after July 1, 2013, 60 percent of the member's last rate of pay if the member's disability rating is less than 20 percent and the disability is the result of documented injuries occurring prior to July 1, 2013, and at least 60 percent of the member's last rate of pay if the member's disability rating is 20 percent or more with adjustments to the minimum based upon the level of disability rating above 20 percent; amends KRS 67A.470 to set non-occupational disability annuities for new members who begin participating in the urban-county government's policemen's and firefighters' retirement fund on or after the effective date of this Act at 2.25 percent for each year of total service with a minimum benefit of 22.5 percent of average salary and a maximum benefit of 67.5 percent of average salary; amends KRS 67A.492 to provide the surviving spouse of a member who dies after withdrawing from employment on a certificate but prior to retirement with an annuity equal to 60 percent of the member's annuity or the amount payable under the option selected by the member; amends KRS 67A.500 to make conforming amendments; amends KRS 67A.510 to increase the employee

contribution rate from 11 percent to 12 percent of pay for all members of the urban-county government's policemen's and firefighters' retirement fund; amends KRS 67A.520 to require the urban-county government to pay to the policemen's and firefighters' retirement fund the employer contribution rate that is the sum of the normal cost and a payment to the unfunded liability, to require the payment to the unfunded liability to be an amount necessary to pay off the unfunded liability over a period of 30 years beginning July 1, 2013, under the level dollar amortization method, to require the employer contribution rate computed under this section to be not less than \$20 million, except if the actuarial funding level of the fund is 100 percent the employer contribution shall be the normal cost; requires the employer rate to be fixed by the board of the policemen's and firefighters' retirement fund annually based upon the results of the actuarial valuation; amends KRS 67A.560 to require the board of the urban-county government's policemen's and firefighters' retirement fund to complete an actuarial valuation of the fund annually and to complete an actuarial experience study of the fund once every five years; amends KRS 67A.580 to make a technical change; amends KRS 67A.690 to prohibit cost-of-living adjustments for retirees of the urban-county government's policemen's and firefighters' retirement fund who retire on or after July 1, 2013, until the retiree reaches the earlier of age 50 or five years following retirement, to set the amount of the cost-of-living adjustment awarded to retirees if the fund has an actuarial funding level of less than 85 percent at 2 percent annually for those receiving an annual retirement annuity of less than \$40,000, 1.5 percent for those receiving an annual retirement annuity of between \$40,000 and \$75,000, and 1 percent for those receiving an annual retirement annuity greater than \$75,000 except those receiving an annual retirement annuity greater than \$100,000 shall not receive a cost-of-living adjustment until January 1, 2016, to set the amount of cost-of-living adjustment awarded to retirees if the fund has an actuarial funding level of at least 85 percent at an amount determined by the board of 2 to 5 percent for members whose participation date in the fund is prior to the effective date of this Act and of 0 to 3 percent for members whose participation date in the fund is on or after the effective date of this Act; makes conforming amendments; establishes that persons employed by the Lexington-Fayette Urban County Government on the effective date of this Act shall be considered to have a participation date in the urban-county government's policemen's and firefighters' retirement fund prior to the effective date of this Act; EMERGENCY.

#### **HB 431**

AN ACT relating to tax increment financing.

Amends KRS 65.7043 and 65.7049, relating to tax increment financing, to include mixed-use development areas that include public storm water or sanitary sewer facilities that are designed to comply with a court decree mandating corrective action by local government.

#### **HB 433**

AN ACT relating to bovine assessments.

Amends KRS 247.650 to state that any assessment made after the effective date of the Act shall be in addition to the federal assessment referenced in KRS 247.652; amends KRS 247.652 to clarify that if the federal assessment is terminated or suspended, the association certified to administer the assessment shall continue to collect the assessment and use it for carrying out the provisions of KRS 247.610 to 247.685.



**HB 440**

AN ACT relating to the financing of government and making an appropriation therefor.

Amends KRS 130.081 to clarify provisions relating to taxpayer installment payment agreements; amends KRS 131.1817 to define terms, and if a taxpayer is delinquent on taxes owed to the Commonwealth, to allow the suspension or revocation of a professional license or a driver's license and the denial of the ability to register a motor vehicle; amends KRS 131.190 to allow information to be exchanged between the Department of Revenue and state licensing agencies relating to delinquent taxpayers; amends KRS 186.570 to provide for the denial or suspension of a driver's license; creates a new section of KRS Chapter 186A to direct the county clerk to prohibit the registration of a motor vehicle if AVIS lists the vehicle identification number of the motor vehicle as owned by a delinquent taxpayer; amends KRS 132.010 to define "broadcast"; amends KRS 132.020 to clarify the imposition of property tax on commercial radio and television equipment and pollution control facilities; amends KRS 132.200 to clarify the application of local property taxes to commercial radio and television equipment and pollution control facilities; amends KRS 136.120 to include wind turbine and solar generating companies; amends KRS 138.4602 and creates a new section of KRS Chapter 138 to allow a trade-in allowance on the purchase of new vehicles; amends KRS 139.450 requiring retailers making sales from a place outside this state for storage, use, or other consumption in this state when the retailer is not required to collect the use tax to notify the purchaser of his or her obligation to report and pay the Kentucky use tax; amends KRS 139.470 to delete the exemption from the sales tax for rate increases for school taxes and any other charges added to residential telecommunications services; amends KRS 139.480 to clarify the farm machinery exemption relating to header wagons and combine header trailers; amends KRS 139.570 to modify the reimbursement paid to retailers for collecting and remitting sales tax; amends KRS 141.020 to reduce the personal credit for each individual to \$10 but maintaining the additional credits for the elderly, blind, and National Guard members; amends KRS 141.205 to disallow the deduction of management fees, except when the taxpayer discloses and establishes by the preponderance of evidence that the deduction is allowable; amends KRS 143.010 to clarify the definitions of "taxpayer" and "gross value" for coal severance tax purposes; amends KRS 143.025 to conform; amends KRS 143A.010 to clarify the definitions of "taxpayer" and "gross value" for other mineral tax purposes; amends KRS 143A.050 to conform; creates a new section of KRS Chapter 61 establishing the Kentucky Retirement Systems unfunded liability trust fund; amends KRS 141.325 to make conforming changes; states the intent of the General Assembly in amending the law relating to certified pollution control facilities; establishes effective dates.

**HB 441**

AN ACT relating to toll administration.

Amends KRS 175B.015 and 175B.040 to authorize administrative regulations establishing toll collection procedures and appeals procedures, to require compliance with toll regulations, to provide for administrative suspension of vehicle registration, to require that all individual information relating to tolls is confidential, and to encourage any entity developing a tolled facility to consider "ability to pay" when establishing toll rates.

**HB 445**

AN ACT relating to procurement methods for demonstration road and bridge projects.

Creates a new section of KRS 176 to authorize the Transportation Cabinet to utilize design/build procurement methods for up to five demonstration road and bridge projects each fiscal year, to stipulate that projects be identified in the biennial highway construction plan and be limited to those with a construction phase not greater than \$30,000,000, and to require the Transportation Cabinet to submit a report identifying and detailing the demonstration road and bridge related projects, including the estimated cost savings, to the Interim Joint Committee on Appropriations and Revenue by December 1 each year.

**HJR 45**

Honors Sergeant Charles Floyd, a Kentuckian and valued member of the Lewis and Clark Expedition who perished on that journey; declares August 20, 2013, Sergeant Charles Floyd Day in the Commonwealth.

**HCR 109**

Urges the United States Congress to persuade the United States Environmental Protection Agency to withdraw its proposed Greenhouse Gas New Source Performance Standard for Electric Generating Units.





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