

Legislative Report #2

January 21, 2024

Senate Bills

SB 39

SB39 (BR915) - A. Southworth

AN ACT relating to campaign finance.

Amend KRS 6.811 to prohibit legislative agents or employers of legislative agents from making campaign contributions to legislators, candidates, campaign committees for legislators or candidates, caucus campaign committees, or permanent committees that donate to or make independent expenditures for legislators at any time.

Jan 02, 2024 - introduced in Senate; to Committee on Committees (S)

Jan 12, 2024 - to State & Local Government (S)

SB 69

SB69 (BR438) - G. Boswell

AN ACT relating to the levy of an ad valorem tax rate.

Repeal and reenact KRS 132.017 to require the portion of a property tax rate which will produce revenue from real property, exclusive of revenue from new property, more than four percent over the amount of revenue produced by the compensating tax rate to be subject to recall by the voters of the district; establish requirements for the ballot question, notifying the public, the election process, and recalling the rate; allow the cancellation of the election; disallow local, state, and federal tax dollars to be used to advocate for the rate; amend various statutes to conform; EFFECTIVE January 1, 2025.

Jan 04, 2024 - introduced in Senate; to Committee on Committees (S)

Jan 08, 2024 - to State & Local Government (S)

SB102

SB102 (BR1552) - J. Schickel

AN ACT relating to fire protection districts.

Amend KRS 75.260 to increase the maximum per meeting salary of fire district board members to \$150. Jan 10, 2024 - introduced in Senate; to Committee on Committees (S)

Jan 12, 2024 - to Licensing & Occupations (S)

Jan 12, 2024 - to Licensing & Occupations (S)

SB 107

SB107 (BR175) - J. Higdon

AN ACT relating to transportation and making an appropriation therefor.

Amend KRS 186.040 to direct \$30 of the registration fee for vehicles in excess of 44,000 pounds to the county clerk of the county in which the truck is registered; amend KRS 186.050 to set registration fees for vehicles in excess of 44,000 pounds; amend KRS 189.340 to prohibit the operation of a truck tractor, trailer, or semitrailer in the far left lane of any roadway that has been divided into three or more clearly marked lanes for travel; amend KRS 281.926 to require towing companies to submit their rate schedules to the nearest Department of Kentucky State Police (KSP) post in addition to making them available to the public upon request, and direct the KSP to remove companies that do not comply with these requirements from the KSP wrecker log for a period of six months for the first violation and one year for any subsequent violation; amend KRS 189.222 to provide a weight limit allowance of 400 pounds for any vehicle with an auxiliary power unit; amend KRS 189.221 to conform; amend KRS 75.450 to increase the limit that subscription fire departments may charge for accident response from \$500 to \$1,000; amend KRS 189.270, 189.271, 189.2713, 189.2716, and 189.2717 to require the Transportation Cabinet to promulgate administrative regulations to set fees for overweight and overdimensional permits; amend KRS 132.487 to direct the state portion of vehicle property taxes on electric vehicles and hybrid vehicles to the road fund; amend KRS 186.480 to require the KSP to include information about the organ donor program in educational materials for driver training; APPROPRIATION; EFFECTIVE, in part, January 1, 2025.

Jan 11, 2024 - introduced in Senate; to Committee on Committees (S)

Jan 16, 2024 - to Transportation (S)

Senate Resolutions

No Senate Resolutions filed on Firefighter issues at this time.

House Bills

HB 1

HB1 (BR1026) - J. Petrie, S. Rudy, A. Bowling, J. Bray

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

Appropriate General Fund moneys from the Budget Reserve Trust Fund Account in fiscal years 2023-2024, 2024- 2025, and 2025-2026 to the following: Kentucky Infrastructure Authority for drinking water and wastewater infrastructure grants; Department for Local Government to provide matching funds under the Government Resources Accelerating Needed Transformation Program; Kentucky Public Pensions Authority to be applied to the unfunded liability of the State Police Retirement Systems and the Kentucky Employees Retirement System Nonhazardous pension funds; Teachers' Retirement System to be applied to the unfunded actuarially accrued liability; Cabinet for Economic Development to support the KEDFA loan pool and development projects; Department of Kentucky State Police for lab equipment; Transportation Cabinet to improve public riverports, to implement the Short Line Infrastructure Preservation and Industrial Access and Safety Improvement pilot projects, and support grants to each General Aviation airport; APPROPRIATION; EMERGENCY.

Jan 16, 2024 - introduced in House; to Committee on Committees (H)

HB 6

HB6 (BR1019) - J. Petrie, A. Bowling, J. Bray, S. Rudy

AN ACT relating to appropriations measures providing funding and establishing conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other statesupported activities. The State/Executive Branch Budget: Detail Part I, Operating Budget; detail Part II, Capital Projects Budget; detail Part III, General Provisions; detail Part IV, State Salary/Compensation, Benefit, and Employment Policy; detail Part V, Funds Transfer; detail Part VI, General Fund Budget Reduction Plan; detail Part VII, General Fund Surplus Expenditure Plan; detail Part VIII, Road Fund Budget Reduction Plan; detail Part IX, Road Fund Surplus Expenditure Plan; detail Part X, Phase I Tobacco Settlement; and detail Part XI, Executive Branch Budget Summary; APPROPRIATION.

Jan 16, 2024 - introduced in House; to Committee on Committees (H)

HB 18

HB18 (BR810) - R. Dotson, D. Hale, M. Lockett, J. Tipton

AN ACT relating to the rights of property owners and declaring an emergency.

Create new sections of KRS Chapter 65 to prohibit local governments from adopting or enforcing ordinances that prohibit owners of housing accommodations from refusing to lease or rent the housing accommodation to a person when the person's source of income to pay rent includes funding from a federal housing assistance program; prohibit local governments from requiring an owner of property occupied by an individual other than the owner to pay an emergency response fee that arises out of the actions of another over which the owner has no control; EMERGENCY.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)

Jan 12, 2024 - to State Government (H)

Jan 18, 2024 - reported favorably, 1st reading, to Calendar

Jan 19, 2024 - 2nd reading, to Rules

HB 20

HB20 (BR1051)/AA - R. Palumbo, T. Bojanowski, E. Callaway, A. Gentry, C. Stevenson

AN ACT relating to a cost-of-living increase to the retirement benefits for retired state employees, making an appropriation therefor, and declaring an emergency.

Appropriate \$227 million, \$17 million, and \$17 million in fiscal year 2024-2025 to the Kentucky Public Pensions Authority to fund a one-time two percent cost-of-living adjustment effective July 1, 2024, for Kentucky Employees Retirement System nonhazardous and hazardous duty recipients, and for State Police Retirement System recipients, respectively; APPROPRIATION; EMERGENCY.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)

HB 23

HB23 (BR908) - P. Pratt, D. Fister

AN ACT relating to smoke alarms.

Create a new section of KRS Chapter 227 to require a working smoke detector be present in any residence sold; direct seller to attest to the presence and functioning of the required smoke detector in signed affidavit given to buyer at closing.

HB23 - AMENDMENTS HCS1 - Retain original provisions, except apply requirements only to existing residential structures; add specific liability exemption for real estate licensees.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)
Jan 09, 2024 - to Local Government (H)
Jan 12, 2024 - reassigned to Licensing, Occupations, & Administrative Regulations (H)
Jan 17, 2024 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)
Jan 18, 2024 - 2nd reading, to Rules

HB 26

HB26 (BR829)/LM - D. Fister, E. Callaway

AN ACT relating to unemployment insurance and declaring an emergency.

Amend KRS 341.030 to provide that reimbursements paid to volunteer firefighters for traveling to respond to emergencies or for the use of his or her personal vehicle or other equipment in responding to emergencies, shall not be considered wages for purposes of unemployment insurance; RETROACTIVE to March 6, 2020; EMERGENCY.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)

HB 43

HB43 (BR145) - J. Hodgson, K. Bratcher, J. Nemes, S. Rawlings, S. Witten

AN ACT relating to fire protection.

Create a new section of KRS 75.100 to 75.260 to require a fire protection district, volunteer fire department district, or subdistrict when making a change to fire protection services involving communications, firefighting resources, or water supply that will likely downgrade fire service ratings to host a public hearing and provide notice of the hearing.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)

Jan 09, 2024 - to Local Government (H)

Jan 17, 2024 - reported favorably, 1st reading, to Calendar

Jan 18, 2024 - 2nd reading, to Rules

HB 57

HB57 (BR151) - C. Freeland, K. Fleming

AN ACT relating to emergency medical services and declaring an emergency.

Amend KRS 311A.030 to remove the classifications of ambulance services, mobile integrated healthcare programs, and medical first response providers; amend KRS 311A.142 to permit an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic in good standing in another state to be eligible for reciprocity at the same level of certification or licensure; amend KRS 142.301, 205.5602, 211.9523, 311A.010, 311A.170, and 405.075 to conform; repeal KRS 311A.185, relating to determination of death by a paramedic; EMERGENCY.

Jan 02, 2024 - introduced in House; to Committee on Committees (H)

Jan 09, 2024 - to Local Government (H)

HB 99

HB99 (BR31)/AA - DJ Johnson

AN ACT relating to the Kentucky Public Pensions Authority.

Amend various sections of KRS Chapters 16, 61, and 78 to make technical and housekeeping changes relating to the Kentucky Public Pensions Authority's (KPPA) administration of the systems governed by the Kentucky Retirement Systems (KRS) and the County Employees Retirement System (CERS) boards of trustees, including: amend KRS 61.505 to rename the position of internal auditor to chief auditor and conform with prior legislation; amend KRS 16.505, 61.510, and 78.510 to make various changes and additions to definitions; repeal, reenact, and amend KRS 16.652, 61.546, and 61.692 in response to a Kentucky Supreme Court decision and make technical changes; amend KRS 61.525 and 78.540 to remove outdated language and comply with federal law regarding membership in the retirement plan; amend KRS 61.552 to require Tier 3 members to remit employee contributions before receiving military service credit; amend KRS 61.569 to provide process for repayment of employee contributions after a member's employment is reinstated by order of a court or tribunal; amend KRS 61.615 to permit KPPA to employ vocational experts to review and evaluate employment information in disability review cases and remove review of physical exertion requirement when disability is due solely to a mental illness; amend KRS 61.625 regarding procedures for members who receive a refund in error or who have taken a refund and subsequently have their reemployment reinstated; amend KRS 61.637 and 78.5540 to conform to the process for repayment of employee contributions after a member's employment is reinstated by order of a court or tribunal; amend KRS 61.645 and 78.782 to permit voting by telephone in trustee elections and extend deadline for posting board minutes from 72 hours to 3 business days; amend KRS 61.665 to change the process for the review of disability applications to permit one medical examiner to review initial applications and approve a member for disability with no additional reviews required, but if disability is denied, implement up to two more examiners to achieve majority consensus for approval or disapproval of disability; amend KRS 61.705 and 78.5538 to provide that the death benefit of \$5,000 is payable to a beneficiary of the member, not the member, and is not subject to garnishment, unless the beneficiary is the member's estate or there is an overpayment of benefits or outstanding balance owed to the system; amend KRS 61.685, 61.702, 78.530, 78.5528, 78.5536, 78.640, and 78.852 to make conforming and technical changes.

Jan 03, 2024 - introduced in House; to Committee on Committees (H)

Jan 09, 2024 - to Local Government (H)

HB 114

HB114 (BR1348) - D. Graham, C. Stevenson, C. Aull, T. Bojanowski, G. Brown Jr., A. Camuel, B. ChesterBurton, A. Gentry, D. Grossberg, K. Herron, R. Palumbo, R. Roarx, R. Roberts, S. Stalker, P. Stevenson, A. Tackett Laferty

AN ACT relating to appropriations measures providing funding and establishing conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards,

commissions, institutions, subdivisions, agencies, and other statesupported activities. The Governor's recommended State/Executive Branch Budget: Detail Part I, Operating Budget; detail Part II, Capital Projects Budget; detail Part III, General Provisions; detail Part IV, State Salary/Compensation, Benefit, and Employment Policy; detail Part V, Funds Transfer; detail Part VI, General Fund Budget Reduction Plan; detail Part VII, General Fund Surplus Expenditure Plan; detail Part VIII, Road Fund Budget Reduction Plan; detail Part IX, Road Fund Surplus Expenditure Plan; detail Part X, Phase I Tobacco Settlement; and detail Part XI, Executive Branch Budget Summary; APPROPRIATION.

Jan 03, 2024 - introduced in House; to Committee on Committees (H)

HB 116

HB116 (BR245) - N. Kulkarni, K. Bratcher, A. Gentry

AN ACT relating to perfluoroalkyl and polyfluoroalkyl substances.

Create a new section of KRS Chapter 211 to establish a PFAS Working Group to research the effect that exposure to PFAS has on health outcomes in the Commonwealth; create new sections of Subchapter 10 of KRS Chapter 224 to define the terms "consumer product," "intentionally added," "PFAS," "product component," and "wastewater treatment facility"; establish a reporting requirement for manufacturers that intentionally include PFAS in products manufactured for sale or distribution in the Commonwealth; establish a reporting requirement for PFAS releases in the Commonwealth by manufacturers that intentionally include PFAS in manufactured products.

Jan 03, 2024 - introduced in House; to Committee on Committees (H)

HB 133

B133 (BR1251) - A. Tackett Laferty, R. Dotson, P. Flannery, T. Truett

AN ACT relating to a tax credit for volunteer firefighters.

Create a new section of KRS Chapter 141 to establish a refundable income tax credit for certain volunteer firefighters; declare the purpose of the credit; require annual reporting to the Legislative Research Commission and the Interim Joint Committee on Appropriations and Revenue to evaluate the impact of the credit; amend KRS 141.0205 to provide the ordering of the credit; amend KRS 131.190 to allow confidential tax return information to be shared with the Legislative Research Commission and Interim Joint Committee on Appropriations and Revenue.

Jan 03, 2024 - introduced in House; to Committee on Committees (H)

HB 143

HB143 (BR1130)/AA - R. Roberts, C. Stevenson

AN ACT relating to retirement benefits for state and county employees in hazardous positions. Create a new section of KRS 16.505 to 16.652 to change the retirement benefits for members participating in the State Police Retirement System (SPRS) or in a hazardous position in either the Kentucky Employees Retirement System (KERS) or County Employees Retirement System (CERS) who are hired after January 1, 2014, but before January 1, 2025, so that, in lieu of continued participation in the hybrid cash balance plan (Tier 3 benefits), these members receive the benefits provided to members in a hazardous position who began participating immediately prior to January 1, 2014 (Tier 2 benefits); for those eligible hazardous employees, create a presumption that service credit in a hazardous position earned after January 1, 2014, is service credit earned immediately prior to January 1, 2014; for eligible hazardous members transitioning to Tier 2, require that accumulated contributions in the hybrid cash balance plan remain in the member's account, but any employer credit be transferred to the retirement allowance account; allow a member in a hazardous position subject to a change from Tier 3 to Tier 2 benefits to make a one-time election to opt out of the change of benefits within 30 days; establish exclusions; amend KRS 16.576, 16.577, 16.578, 16.582, 61.546, 51.552, 61.597, 61.615, 78.5512, 78.5514, 78.5524, 78.5528, and 78.616 to grant to members in a hazardous position who begin participating after January 1, 2025, or whose participation is presumed under Section 1 to begin immediately prior to January 1, 2014, the same benefits provided to members whose participation began immediately prior to January 1, 2014 (Tier 2 benefits), including death and disability benefits, benefit factors and service credit that includes service credit for unused sick leave, and eligibility for early retirement and service purchases; make technical corrections; amend KRS 16.583 and 78.5516 to limit the hybrid cash balance plan (Tier 3 benefits) only to members participating in SPRS or in hazardous positions in KERS or CERS who make an election to opt out of Tier 2 benefits under Section or who make an election, prior to the effective date of the Act, under KRS 61.5955; amend KRS 61.5955 to provide that only a member in a nonhazardous position who began participating in KERS or CERS as a Tier 2 member may elect to receive Tier 3 benefits in the hybrid cash balance plan in lieu of Tier 2 benefits; amend KRS 16.505, 61.510, and 78.510 to amend definitions of various terms to conform and make technical changes; amend KRS 16.560, 61.575, and 78.640 to allow interest credited on the accounts of members participating in SPRS or in a hazardous position in KERS or CERS to be adjusted to conform; amend KRS 61.592 and 78.5520 to exempt only hazardous members who opt out of receiving Tier 2 benefits from eligibility for an employer payment to convert nonhazardous service to hazardous service; amend KRS 61.680 to require that a member who is eligible under Section 1 and who has nonhazardous service credit as a Tier 3 member of either KERS or CERS to have his or her nonhazardous and hazardous service consolidated to determine eligibility and benefits; amend KRS 78.545 to add Section 1 as one of the provisions that shall be administered for the CERS in the same manner as for the KERS.

Jan 04, 2024 - introduced in House; to Committee on Committees (H)

HB 150

HB150 (BR1337)/LM - P. Flannery, W. Lawrence

AN ACT relating to ad valorem taxes.

Create a new section of KRS Chapter 132 to exempt motor vehicles, recreational vehicles, trailers, and semitrailers from state and local ad valorem taxes; amend various sections of KRS Chapters 92, 132, 133, 134, 136, 141, 186, 186A, and 235 to conform; repeal KRS 132.227, 132.485, 132.4851, 132.487, 136.188, 186.193, and 186A.030; EFFECTIVE January 1, 2025.

Jan 04, 2024 - introduced in House; to Committee on Committees (H)

Jan 18, 2024 - to Appropriations & Revenue (H)

HB159

HB159 (BR386) - J. Nemes

AN ACT relating to immunity from criminal liability for health care providers.

Create a new section of KRS Chapter 311 to define "health care provider" and "health services"; establish that health care providers are immune from criminal liability for harm arising from a health services-related act or omission other than gross negligence or wanton, willful, malicious, or intentional misconduct.

Jan 04, 2024 - introduced in House; to Committee on Committees.

HB 164

HB164 (BR431)/AA - S. Witten, D. Osborne, J. Bauman

AN ACT relating to death in the line of duty benefits.

Amend KRS 16.601, 61.621, and 78.5534 to increase minimum line of duty death benefits to a non-spouse beneficiary of a Kentucky Employees Retirement System, County Employees Retirement System, or State Police Retirement System member who was working in an approved hazardous duty position or in a position that could be approved as hazardous duty for retirement purposes; specify the minimum payment to the non-spouse beneficiary shall only be payable if there is no surviving spouse beneficiary and shall be a minimum of a lump-sum payment equal to 36 months of the member's monthly rate of pay; provide that the non-spouse beneficiary may elect the minimum lump-sum payment or any other benefits the non-spouse beneficiary is eligible to receive upon the member's death, but not both.

Jan 05, 2024 - introduced in House; to Committee on Committees (H)

HB 179

HB179 (BR250) - S. Heavrin, S. Dietz

AN ACT relating to insurance for loss of income and declaring an emergency.

Amend KRS 304.3-110 to authorize life and health insurers to transact disability income and paid family leave insurance; make technical corrections; create new sections of Subtitle 5 of KRS Chapter 304 to define "disability income insurance" and "paid family leave insurance" and specify how each is to be classified and filed; amend KRS 304.9- 030 to include paid family leave insurance in life and health lines of authority; establish Subtitle 53 of KRS Chapter 304 and create new sections thereof to regulate paid family leave insurance; establish paid family leave insurance requirements, authorized scope of benefits, disclosure requirements, and authorized limitations; authorize the insurance commissioner to promulgate administrative regulations to enforce Subtitle 53 of KRS Chapter 304; create short title; amend KRS 304.17A005, 304.18-010, and 304.36-030 to conform; EMERGENCY.

Jan 08, 2024 - introduced in House; to Committee on Committees (H)

Jan 09, 2024 - to Banking & Insurance (H)

Jan 10, 2024 - reported favorably, 1st reading, to Calendar

Jan 11, 2024 - 2nd reading, to Rules

Jan 19, 2024 - posted for passage in the Regular Orders of the Day for Monday, January 22, 2024

HB 212

HB212 (BR221) - B. Wesley, J. Bauman, J. Blanton, A. Bowling, K. Bratcher, S. Bratcher, E.

Callaway, J. Calloway, M. Dossett, R. Dotson, R. Duvall, D. Fister, P. Flannery, C. Fugate, D. Hale,

R. Heath, J. Hodgson, T. Huff, K. Jackson, DJ Johnson, W. Lawrence, M. Lockett, B. McCool, S.

McPherson, S. Sharp, T. Smith, A. Tackett Laferty, N. Tate, W. Thomas, N. Wilson

AN ACT relating to the mental health of first responders.

Amend KRS 95A.292 to allow rescue squad members to participate in the Alan "Chip" Terry Professional Development and Wellness Program; and create a new section of KRS Chapter 39F to direct the Division of Emergency Management and the Kentucky Fire Commission to enter into an agreement to ensure that rescue squad members have access to the program.

Jan 09, 2024 - introduced in House; to Committee on Committees (H)

HB 216

HB216 (BR1170)/AA - D. Graham, C. Stevenson, T. Bojanowski, G. Brown Jr., L. Burke, D. Grossberg, N. Kulkarni, R. Roberts, S. Stalker, L. Willner

AN ACT relating to a supplemental payment for recipients of a monthly retirement allowance from the systems administered by the Kentucky Retirement Systems, making an appropriation therefor, and declaring an emergency.

Appropriate \$95 million from the budget reserve trust fund in fiscal year 2023-2024 to fund one-time supplemental payments on July 1, 2024, to recipients of a retirement allowance from the Kentucky Employees Retirement System (KERS) and the State Police Retirement System (SPRS); specify that the one-time supplemental payment shall be equal to the monthly payment received by the recipient in the month of June 2024; APPROPRIATION; EMERGENCY.

Jan 09, 2024 - introduced in House; to Committee on Committees (H)

HB 248

HB248 (BR1530) - K. Timoney, K. Banta, C. Freeland, P. Pratt

AN ACT relating to reinstatement of police and fire department employees.

Amend KRS 95.440 to remove the requirement that a person shall only be eligible for reinstatement to a police or fire department within one year following separation from employment.

Jan 11, 2024 - introduced in House; to Committee on Committees (H)

House Resolutions

HR 37

HR37 (BR1487) - W. Lawrence, T. Truett, R. Dotson, P. Flannery, M. Hart, A. Tackett Laferty
Urge the United States Congress to amend Title II of the Social Security Act to repeal the government pension offset and the windfall elimination provision.

Jan 09, 2024 - introduced in House; to Committee on Committees (H)