

2017 Legislative Session Report #3

February 22, 2017

Senate Bills

[SB 2 / AA](#) (BR 485) - [J. Bowen](#), [C. McDaniel](#), [J. Adams](#), [R. Alvarado](#), [D. Carroll](#), [R. Girdler](#), [P. Hornback](#), [D. Thayer](#), [M. Wilson](#), [M. Wise](#)

AN ACT relating to retirement and declaring an emergency.

Amend KRS 21.530 to require Senate confirmation of the gubernatorial appointments to the Judicial Form Retirement System; amend KRS 21.540 to require the Judicial Form Retirement System, which administers the Legislators' Retirement Plan and the Judicial Retirement Plan, to post descriptive and financial information to the system's Web site, and to delineate that investment fee and commission reporting include profit sharing, carried interest, and partnership incentives; amend KRS 61.645 to narrow the definition of investment experience on the board of trustees, to specify that vacancies to elected positions be filled by majority vote of the remaining elected members, to require Senate confirmation of gubernatorial appointments to the board, and to delineate that investment fee and commission reporting requirements for the Kentucky Retirement Systems shall include profit sharing, carried interest, and partnership incentives; provide that the systems may not have to disclose contracts on a Web site if disclosure would result in a competitive disadvantage, but require those contracts to be released to the trustees, the State Auditor, and the LRC Govt. Contract Review Committee, subject to the redaction of otherwise exempted material; subject the Kentucky Retirement Systems to KRS Chapter 18A regarding personnel; cap the reimbursement rate for legal services at the Government Contract Review Committee maximum hourly rate; make technical amendments; amend KRS 161.250 to add two gubernatorial appointments to the board subject to Senate confirmation, to specify that investment fee and commission reporting requirements for the Kentucky Teachers' Retirement System must include profit sharing, carried interest, and partnership

incentives; provide that the Teachers' Retirement System may not have to disclose contracts on a Web site if disclosure would result in a competitive disadvantage, but require those contracts to be released to the trustees, the State Auditor, and the LRC Govt. Contract Review Committee, subject to the redaction of otherwise exempted material; cap the reimbursement rate for legal services to the Teachers' Retirement System at the Government Contract Review Committee maximum hourly rate; amend various KRS sections to place all state retirement systems under the Model Procurement Code regarding contracts and improve definition of placement agents to include nonemployees and subsidiary firms; amend KRS 7A.220 to increase the membership of the Public Pension Oversight Board; amend KRS 7A.255 to require annual reporting of the percentage of system assets being reported by external managers and partnerships; amend KRS 6.350 to declare noncompliant any actuarial analyses returning negligible or indeterminable cost results; EMERGENCY.

AMENDMENTS

[SB 2 \(As Introduced\)](#)

[SCS1/AA](#) - Retain original provisions; amend KRS 21.530 to require that the gubernatorial appointments to the Judicial Form Retirement System have "investment experience" and define "investment experience"; amend KRS 61.645 to expand the board of trustees of the Kentucky Retirement Systems from 13 to 17 trustees, adding four more gubernatorial appointees; confirm the Governor's executive order 2016-340 to the extent that it is not otherwise confirmed or superseded by other provisions; make conforming amendments to KRS 61.645 and 61.650; declare an EMERGENCY.

[HFA1](#)(J. Miller) - Restore in KRS 161.340 current exemption as to the employment of the executive secretary of the Teachers' Retirement System from the Model Procurement Code; specify the sections of Executive Order 2016-340 confirmed by the bill.

[HFA2](#)(J. Wayne) - Create a new section of KRS Chapter 11A to require

statewide constitutional officers to file with the Executive Branch Ethics Commission a statement indicating the candidate's financial interest in any of the state retirement funds.

Jan 03, 2017 - introduced in Senate; taken from Committee on Committees (S); 1st reading; returned to Committee on Committees (S); to State & Local Government (S)

Jan 04, 2017 - taken from State & Local Government (S); 2nd reading; returned to State & Local Government (S)

Feb 08, 2017 - reported favorably, to Rules with Committee Substitute (1); posted for passage in the Regular Orders of the Day for Wednesday, February 8, 2017; 3rd reading, passed 37-0 with Committee Substitute (1)

Feb 09, 2017 - received in House

Feb 13, 2017 - to State Government (H)

Feb 14, 2017 - posted in committee

Feb 16, 2017 - reported favorably, 1st reading, to Calendar; floor amendment (1) filed

Feb 17, 2017 - floor amendment (2) filed

Feb 21, 2017 - 2nd reading, to Rules; posted for passage in the Regular Orders of the Day for Wednesday, February 22, 2017

[SB 6/LM](#) (BR 484) - [R. Stivers II](#), [R. Alvarado](#), [D. Seum](#), [D. Thayer](#), [M. Wise](#)

AN ACT relating to labor organizations and declaring an emergency.

Create a new section of KRS Chapter 336 to set forth requirements for labor organizations collecting moneys for dues and for political activities; for enrollment for members; and for maintaining financial records; amend KRS 336.990 to set forth a civil penalty for a violator; amend KRS 336.180, 337.060, 67A.6909, 67C.416, and 345.110 to conform; EMERGENCY.

AMENDMENTS

[SB 6 \(As Introduced\)](#)

[SCS1/LM](#) - Retain original provisions, except in Section 1 remove employees subject to the National Relations Labor Act and Federal Railway Labor Act; delete the definitions of political funds and political activities and remove the requirement; delete the provisions regarding political funds and activities.

[SCA1](#)(J. Bowen) - Retain original provisions, except remove the annual requirement for written authorization.

Jan 03, 2017 - introduced in Senate; taken from Committee on Committees (S); 1st reading; returned to Committee on Committees (S); to Economic Development, Tourism, and Labor (S)

Jan 04, 2017 - taken from Economic Development, Tourism, and Labor (S); 2nd reading; returned to Economic Development, Tourism, and Labor (S)

Jan 05, 2017 - reported favorably, to Rules; taken from Rules (S); recommitted to State & Local Government (S); reported favorably with Committee Substitute (1) and committee amendment (1); posted for passage in the Regular Orders of the Day for Thursday, January 5, 2017; 3rd reading, passed 25-11 with committee amendment (1) and Committee Substitute (1); received in House; to Economic Development & Workforce Investment (H); taken from Economic Development & Workforce Investment (H); 1st reading; returned to Economic Development & Workforce Investment (H); posting waived

Jan 06, 2017 - taken from Economic Development & Workforce Investment (H); 2nd reading; returned to Economic Development & Workforce Investment (H)

Jan 07, 2017 - reported favorably, to Rules; posted for passage in the Regular Orders of the Day for Saturday, January 7, 2017; 3rd reading, passed 57-39; received in Senate; enrolled, signed by President of the Senate; received in House; enrolled, signed by Speaker of the House; delivered to Governor

Jan 09, 2017 - signed by Governor (Acts, ch. 006)

AN ACT relating to the law enforcement and firefighters foundation programs and making an appropriation therefor.

Amend various sections of KRS Chapter 15 and KRS 95A.250, relating to the Kentucky Law Enforcement Foundation Program fund and the Firefighters Foundation Program fund, to increase the annual supplement payment to local governments for qualifying law enforcement officers and firefighters from \$3,000 to \$4,000 beginning July 1, 2018; provide a reimbursement to local governments to reimburse for required contributions to the employee pension system resulting from the supplement increase; provide partial compensation for local government administrative expenses; amend KRS 95A.262 to increase the annual allocation to volunteer fire departments from the Commission on Fire Protection Personnel Standards and Education from \$8,250 to \$11,000 beginning July 1, 2018; APPROPRIATION.

AMENDMENTS

[SB 31 \(As Introduced\)](#)

[SCS1/LM](#) - Retain original provisions; amend KRS 15.420 to distinguish between and define a local officer and a state officer under the definition of "Police officer"; clarify that payment to local governments for reimbursement of administrative expenses is for each qualified police officer that the local government employs; provide that each local government unit shall receive associated fringe benefits costs for the total supplement of \$4,000 for each qualified police officer who is a state officer employed by the government unit; amend various sections to conform; APPROPRIATION.

Jan 03, 2017 - introduced in Senate

Jan 07, 2017 - to Appropriations & Revenue (S)

Feb 21, 2017 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)

[SB 98](#) (BR 814) - [T. Buford](#)

AN ACT relating to the Kentucky Board of Emergency Medical Services.

Amend KRS 311A.015 to attach the Kentucky Board of Emergency Medical Services to the Public Protection Cabinet for administrative purposes; replace the first responder member of the board with an advanced emergency medical technician; preclude the citizen member of the board from having any financial interest in the practice or business regulated by the board; require one emergency medical services educator member of the board to be employed by a government operated training and education institute and one employed by a privately operated training institute; permit the Governor to remove members for cause; amend KRS 311A.020 to require all employees assigned to the board to be transferred from the KCTCS system to the KRS Chapter 18A personnel system; require new employees to be hired under provisions of KRS Chapter 18A; require the transfer of all moneys appropriated to and collected by the board to the Public Protection Cabinet; amend KRS 311A.010 to define "advanced emergency medical technician" "cabinet" and "emergency medical responder"; amend KRS 12.020 and 12.252 to conform; amend various sections of the Kentucky Revised Statutes to replace the term "first responder" with "emergency medical responder."

Jan 05, 2017 - introduced in Senate; 1st reading

Jan 07, 2017 - to Veterans, Military Affairs, & Public Protection (S)

AN ACT relating to prospective retirement benefits and declaring an emergency.

Create a new section of KRS 6.500 to 6.577 to provide that members of the Legislators' Retirement Plan who retire on or after January 1, 2018, shall be limited to a 10% growth in the creditable compensation earned during their last three years of service to the General Assembly or an employer participating in any of the other state-administered retirement systems, if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements from the compensation growth limitation; define "bona fide promotion or salary advancements" as a professional advancement in substantially the same line of work held by the member in the four years immediately prior to the three-year period or a change in employment position based upon training, education, or expertise; provide that the Judicial Form Retirement System shall refund contributions and interest on contributions for any reductions in creditable compensation; provide that the Judicial Form Retirement System shall determine what constitutes a bona fide promotion or salary advancement; create a new section of KRS 21.345 to 21.580 to provide that members of the Judicial Retirement Plan who retire on or after January 1, 2018, shall be limited to a 10% annual growth in the creditable compensation earned during their last 60 months of service if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements from the compensation growth limitation; define "bona fide promotion or salary advancements" as a professional advancement in substantially the same line of work held by the member in the four years immediately prior to the 60-month period or a change in employment position based upon training, education, or expertise; require the Judicial Form Retirement System to refund contributions and interest on contributions for any reductions in creditable compensation; provide that the Judicial Form Retirement System shall determine what constitutes a bona fide promotion or salary advancement; amend KRS 61.598 to provide that members of the Kentucky Employees Retirement System, the

County Employees Retirement System, and the State Police Retirement System who retire on or after January 1, 2018, shall be limited to a 10% growth in the creditable compensation earned during their last five years of employment if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements, alternative sick leave payments, and lump-sum payments for compensatory time from the compensation growth limitation; exempt from the compensation growth limitation those years of compensation where in the immediately preceding fiscal year the member earned less than 12 months of service credit during the fiscal year, was paid worker's compensation benefits, was on leave without pay for any reason, earned increases directly attributable to overtime hours worked under a federal grant, grant pass-through, or similar program, or earned increases directly attributable to overtime performed during a state of emergency; provide that the Kentucky Retirement Systems shall refund employee contributions and interest on contributions for any reductions in creditable compensation provided by this section; provide that the Kentucky Retirement Systems shall determine what constitutes a bona fide promotion or salary advancement and allow the member to appeal a decision of the system to the board; remove provisions charging employers for creditable compensation growth greater than 10% during the employee's last five years of employment; create a new section of KRS 21.345 to 21.580 to permit a member of the Legislators' Retirement Plan or the Judicial Retirement Plan to opt out of the traditional defined benefit plan and elect to participate in the hybrid cash balance plan; provide that, on the member's effective election date, the value of the member's accumulated contributions, less any interest, shall be deposited into the member's hybrid cash balance account and be considered part of the member's accumulated account balance; provide that on the member's effective election date, an employer pay credit shall be applied to the member's accumulated account balance for each contributing month prior to the effective election date; require the Judicial Form Retirement System to provide the electing member with information detailing the consequences of the member's election; provide that a member shall not be eligible to make an election until a private letter ruling by the IRS is received; make the benefit election under this section irrevocable; amend KRS

21.402 to conform; create a new section of KRS 61.510 to 61.705 to permit a member of the Kentucky Employees Retirement System, the County Employees Retirement System, or the State Police Retirement System to opt out of the traditional defined benefit plan and elect to participate in the hybrid cash balance plan; provide that, on the member's effective election date, the value of the member's accumulated contributions, less any interest, shall be deposited into the member's hybrid cash balance account and be considered part of the member's accumulated account balance; provide that on the member's effective election date, an employer pay credit shall be applied to the member's accumulated account balance for each contributing month prior to the effective election date; require the Kentucky Retirement Systems to provide the electing member with information detailing the consequences of the member's election; provide that a member shall not be eligible to make an election until a private letter ruling by the IRS is received; make the benefit election under this section irrevocable; amend KRS 6.525, 16.583, 16.645, 61.597 and 78.545 to make technical and conforming amendments; provide for severability among provisions of the Act; EMERGENCY.

AMENDMENTS

[SB 104 \(As Introduced\)](#)

[SCS1/AA/LM](#) - Retain original provisions except to review creditable compensation growth in the last five years of employment rather than the last three in the Legislators' Retirement Plan and to not exempt the year of retirement from creditable compensation limits for KERS, CERS, or SPRS; make technical and clerical changes.

Jan 06, 2017 - introduced in Senate

Jan 07, 2017 - to State & Local Government (S)

Feb 08, 2017 - reported favorably, 1st reading, to Calendar with Committee

Substitute (1)

Feb 09, 2017 - 2nd reading, to Rules

Feb 13, 2017 - posted for passage in the Regular Orders of the Day for
Wednesday, February 15, 2017

Feb 15, 2017 - 3rd reading, passed 37-0 with Committee Substitute (1)

Feb 16, 2017 - received in House

Feb 21, 2017 - to State Government (H)

[SB 123 \(BR 386\)](#) - [J. Schickel](#), [R. Girdler](#)

AN ACT relating to operator's licenses.

Create a new section of KRS Chapter 186 to require a physician, advanced practice registered nurse, paramedic, or emergency medical technician to report a person who overdoses on opioids to the Commissioner of the Department of Vehicle Regulation; require proof that a person is either opioid-free or that the person's opioid use is controlled by medication prior to issuing him or her an original, duplicate, modified, or renewal operator's license; amend KRS 186.444 and KRS 186.570 to conform.

Feb 07, 2017 - introduced in Senate

Feb 08, 2017 - to Transportation (S)

[SB 126 / AA \(BR 16\)](#) - [C. McDaniel](#), [J. Schickel](#)

AN ACT relating to the final compensation calculation for state and county employees entering the retirement systems on or after September 1, 2008.

Amend KRS 16.505, 61.510 and 78.510 to define final compensation to allow

state and county employees, who entered the retirement systems on or after September 1, 2008, but prior to January 1, 2014, to use partial fiscal years, which may contain less than 12 months of service credit, to reach a final compensation calculation that is at least 60 months for non-hazardous employees and at least 36 months for hazardous employees.

Feb 07, 2017 - introduced in Senate

Feb 08, 2017 - to Appropriations & Revenue (S)

Feb 21, 2017 - reported favorably, 1st reading, to Consent Calendar

[SB 226](#) (BR 17) - [J. Bowen](#), [C. McDaniel](#), [D. Givens](#)

AN ACT relating to retirement.

Create a new section of KRS 78.510 to 78.852 to provide that the administration of the County Employees Retirement System (CERS) shall be transferred from the Kentucky Retirement System (KRS) board of trustees to the CERS board of trustees established on July 1, 2017; allow the new CERS board to contract with KRS for administration of benefits, investments, or other services as needed for a period not to exceed four years; create new sections of KRS 78.510 to 78.852 and amend KRS 78.510, 78.530, 78.535, 78.540, 78.610, 78.615, 78.616, 78.625, 78.630, 78.640, 78.650, 78.652, 78.790, 78.852, and 78.550 to establish separate statutory provisions governing administration, benefits, and investments of the County Employees Retirement System; establish a 9 member CERS board comprised of 3 elected members, and 6 individuals appointed by the Kentucky League of Cities, the Kentucky Association of Counties, or the Kentucky School Boards Association who must have 10 years of "investment experience" or "retirement experience" as defined by the bill; specify investment, reporting, and transparency requirements; amend KRS 6.350, 16.505, 16.555, 16.576, 16.577, 16.583, 16.582, 18A.205, 61.510, 61.522, 61.535, 61.540, 61.545, 61.550,

61.552, 61.5525, 61.555, 61.559, 61.565, 61.590, 61.592, 61.595, 61.597, 61.598, 61.600, 61.607, 61.621, 61.623, 61.625, 61.630, 61.637, 61.650, 61.652, 61.660, 61.665, 61.670, 61.675, 61.680, 61.690, 61.691, 61.701, 61.702, 61.705, 70.292, 70.293, 95.022, 95.290, 161.155, 161.675, to conform; amend KRS 61.645 to remove CERS elected and appointed representation on the KRS board; amend KRS 7A.250 to place CERS under the jurisdiction of the Public Pension Oversight Board; amend KRS 18A.225 to allow CERS retirees to participate in the Kentucky Employees Health Plan; repeal KRS 78.533, 78.534, 78.532, 78.542, 78.545, 212.434; provide that decisions made by the KRS board on behalf of CERS shall stand and shall not be reversed except as provided by KRS 78.510 to 78.852; provide that the three elected CERS trustees serving on the KRS board prior to July 1, 2017, shall serve as the elected trustees on the new CERS board; provide that no provision of this Act shall increase or decrease benefits to members or retired members of KRS or CERS; confirm Executive Order 2016-340 regarding KRS board expansion; EFFECTIVE July 1, 2017.

Feb 16, 2017 - introduced in Senate

Feb 21, 2017 - to State & Local Government (S)

[SB 237/LM](#) (BR 262) - [C. McDaniel](#)

AN ACT relating to wages and hours.

Omnibus provisions to KRS Chapter 337 to conform with the federal Fair Labor Standards Act; amend KRS 337.010, 337.060, 337.275, 337.285, 337.295, 337.355, 337.365, 337.385, 337.420, 337.423, 337.425, 337.427, 337.430, 337.433, 337.505, and 337.990 to conform; repeal 337.015, 337.050, and 337.065.

Feb 16, 2017 - introduced in Senate

Feb 21, 2017 - to Economic Development, Tourism, and Labor (S)

[SB 242/LM](#) (BR 1346) - [D. Ridley](#)

AN ACT relating to cost-of-living adjustments for pension plans for former cities of the third class.

Amend KRS 90.410, 95.560, and 95.624 to allow former cities of the third class adopting a pension fund program prior to August 1, 1988, to provide an annual cost-of-living adjustment in an amount equal to the increase in the cost-of-living increase for a recipient of Social Security or the increase in the consumer price index as computed by the Department of Local Government up the current maximum of five percent.

Feb 16, 2017 - introduced in Senate

Feb 21, 2017 - to State & Local Government (S)

House Bills

[HB 14/CI](#) (BR 75) - [K. Bratcher](#), [D. Bentley](#), [R. Benvenuti III](#), [J. Blanton](#), [R. Bunch](#), [T. Burch](#), [J. Carney](#), [M. Castlen](#), [J. DuPlessis](#), [J. Fischer](#), [C. Fugate](#), [D. Hale](#), [M. Hart](#), [D. Horlander](#), [K. Imes](#), [DJ Johnson](#), [K. King](#), [S. Lee](#), [D. Mayfield](#), [M. Meredith](#), [R. Meyer](#), [S. Miles](#), [C. Miller](#), [C. Morgan](#), [P. Pratt](#), [M. Prunty](#), [B. Reed](#), [S. Riley](#), [B. Rowland](#), [W. Thomas](#), [J. Tipton](#), [K. Upchurch](#), [R. Webber](#), [J. York](#)

AN ACT relating to hate crimes.

Amend KRS 532.031, relating to an offense committed as a result of a hate crime, to include offenses committed against an individual because of the individual's actual or perceived employment as a city, county, state, or federal

peace officer, member of an organized fire department, emergency medical services personnel; provide that "emergency medical services personnel" is defined as in KRS 311A.010; enumerate that members of an organized fire department or emergency medical services personnel includes volunteer members if the violation occurs while the volunteer is performing duties with an organized fire department or emergency medical services personnel.

AMENDMENTS

[HB 14 \(As Introduced\)](#)

[HFA1](#)(M. Cantrell) - Amend KRS 15.460 to increase the annual supplement paid to qualified police officers out of the Kentucky Law Enforcement Foundation Program fund from \$3,000 to \$4,000; amend KRS 95A.250 to increase the annual supplement paid to qualified professional firefighters out of the Firefighters Foundation Program fund from \$3,000 to \$4,000; amend KRS 95A.262 to increase the annual allotment to qualified volunteer fire departments from \$8,250 to \$11,000; amend KRS 136.392 to specify that a rate change in a premium surcharge rate used to supplement both the Law Enforcement Foundation Program fund and the Firefighters Foundation Program fund only be adjusted by an Act of the General Assembly and be applied 90 days after the effective date of the Act; EFFECTIVE July 1, 2017; APPROPRIATION; declare an EMERGENCY.

[HFA2](#)(M. Cantrell) - Make title amendment.

[HFA3](#)(A. Scott) - Remove original provisions; direct LRC staff to study original provisions of bill relating to impact on minorities and rural communities.

Jul 06, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to Judiciary (H)

Feb 07, 2017 - posted in committee

Feb 08, 2017 - reported favorably, 1st reading, to Calendar; floor amendment (1) and (2-title) filed

Feb 09, 2017 - 2nd reading, to Rules; posted for passage in the Regular Orders of the Day for Monday, February 13, 2017

Feb 10, 2017 - floor amendment (3) filed

Feb 13, 2017 - 3rd reading; floor amendment (1) ruled out of order; floor amendment (3) defeated; passed 77-13-1

Feb 14, 2017 - received in Senate

Feb 15, 2017 - to Judiciary (S)

[HB 15/FN](#) (BR 73) - [R. Nelson](#), [R. Bunch](#), [S. Miles](#)

AN ACT relating to a tax credit for volunteer firefighters.

Create a new section of KRS Chapter 141 to establish a \$1,000 refundable income tax credit for certain volunteer firefighters; declare the purpose of the credit; require annual reporting to the Legislative Research Commission to evaluate the impact of the credit; amend KRS 141.0205 to provide the ordering of the credit and to make technical corrections.

Jul 15, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to Appropriations & Revenue (H)

[HB 41 / AA](#) (BR 86) - [J. Kay](#), [J. Richards](#)

AN ACT relating to the independence and transparency of the board of trustees of the Kentucky Retirement Systems and declaring an emergency.

Amend KRS 12.028 to prevent the Governor from effecting any reorganization of the Kentucky Retirement Systems board of trustees; amend KRS 63.080 to prevent the Governor from removing trustees of the Kentucky Retirement Systems, except upon conviction of a felony or for a finding of an ethical violation as provided under KRS 61.645; amend KRS 61.645 to change the composition of the Kentucky Retirement Systems board of trustees to eight elected trustees and five appointed trustees, removing one gubernatorial appointment and the secretary of the Personnel Cabinet from the board; limit the definition of "investment experience"; provide that a vacancy of an elected trustee shall be filled upon a vote of a majority of the remaining elected trustees and that the vacancy shall be filled within 90 days; place the Kentucky Retirement Systems under the Model Procurement Code;

establish that any raises to Kentucky Retirement Systems staff be no higher than KRS Chapter 18A employees; require disclosure of all holdings, fees, and commissions by individual investment managers, require the Kentucky Retirement Systems to report returns net of fees; require disclosure of all contracts or offering documents and contract disclosure of investment contracts to the board, the Auditor of Public Accounts and the Government Contract Review Committee; establish a ban on placement agents; amend KRS 61.650 to impose on the Kentucky Retirement Systems board of trustees, staff, and contract investment advisors the CFA Institute Codes of Conduct; amend KRS 12.020 and 18A.035 to make technical and conforming amendments; provide a delayed effective date for the changes to the board composition, direct the Kentucky Retirement Systems to hold elections and prescribe the initial terms of office for the new elected members; EMERGENCY.

Sep 15, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

[HB 42 / AA](#) (BR 191) - [J. Kay](#), [J. Richards](#)

AN ACT relating to retirement benefits for legislators.

Amend KRS 6.505 to close the Legislators' Retirement Plan to new members effective August 1, 2017; prohibit current legislators from participating in the Legislators' Retirement Plan on or after August 1, 2017; provide that current and future legislators shall only participate in the Kentucky Employees Retirement System for any service to the General Assembly occurring on or after August 1, 2017.

Sep 15, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

[HB 45 / AA](#) (BR 66) - [D. Elliott](#)

AN ACT relating to retirement benefits for legislators.

Amend KRS 6.505 to close the Legislators' Retirement Plan to new members effective August 1, 2017; prohibit current legislators from participating in the Legislators' Retirement Plan on or after August 1, 2017; provide that current and future legislators shall only participate in the Kentucky Employees Retirement System for any service to the General Assembly occurring on or after August 1, 2017.

Sep 22, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

[HB 57](#) (BR 248) - [K. Imes](#)

AN ACT relating to the Kentucky Teachers' Retirement System board of trustees.

Amend KRS 161.250 to increase the Kentucky Teachers' Retirement System board membership from nine members to 11 by adding two elected trustees who are retired members; amend KRS 161.300 to conform; provide that the election of the two new retired members shall occur so that the initial term of office will begin July 1, 2017.

Oct 13, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

[HB 60/FN/LM](#) (BR 300) - [M. Meredith](#), [J. Blanton](#), [R. Bunch](#), D. Butler, [C. Fugate](#), [D. Hale](#), [C. Morgan](#), [P. Pratt](#), [B. Reed](#), [S. Santoro](#), [J. Tipton](#)

AN ACT relating to supplements paid to police officers, professional firefighters, and qualified volunteer fire departments, declaring an emergency, and making an appropriation therefor.

Amend KRS 15.460 to increase the annual supplement paid to qualified police officers out of the Kentucky Law Enforcement Foundation Program fund from \$3,000 to \$4,000; amend KRS 95A.250 to increase the annual supplement paid to qualified professional firefighters out of the Firefighters Foundation Program fund from \$3,000 to \$4,000; amend KRS 95A.262 to increase the annual allotment to qualified volunteer fire departments from \$8,250 to \$11,000; APPROPRIATION; EMERGENCY.

AMENDMENTS

[HB 60 \(As Introduced\)](#)

[HCS1/LM](#) - Retain original provisions of the bill, but amend Section 1 of the bill to remove outdated language, make the beginning date for the police stipend commence July 1, 2018, and add provisions for an administrative expense payable to each city, county, combination of cities and counties, or county sheriff's office, and restate that the payment to the police is to be transmitted to the police officer by the stipulated local government; amend Section 2 of the bill to remove outdated language, make the beginning date for the firefighter stipend commence July 1, 2018, and add provisions for an administrative expense payable to each eligible local government, and update reference to Cabinet for Health and Family Services; amend Section 3 to remove outdated language and make the beginning date for the volunteer fire department begin July 1, 2018.

Oct 25, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to Appropriations & Revenue (H)

Feb 16, 2017 - posted in committee

Feb 21, 2017 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)

[HB 80/CI](#) (BR 412) - [G. Watkins, C. Morgan](#)

AN ACT relating to criminal attempted murder.

Amend KRS 439.3401 to make criminal attempt to commit murder of a peace officer or a firefighter an offense for which at least 85 percent of the sentence must be served before probation or parole.

Dec 02, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to Judiciary (H)

[HB 87 / AA/LM](#) (BR 348) - [S. Riggs](#)

AN ACT relating to pension spiking and declaring an emergency.

Create a new section of KRS Chapter 6 to provide that members of the Legislators' Retirement Plan who retire on or after January 1, 2018, shall be limited to a 10% growth in the creditable compensation earned during their last three years of service to the General Assembly if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements from the compensation growth limitation; define "bona fide promotion or salary advancements" as a professional advancement in substantially the same line of work held by the member in the 4 years immediately prior to the 3-year period or a change in employment position based upon training, education, or expertise; provide that the Judicial Form Retirement System shall refund contributions and interest on contributions, for any reductions in creditable compensation; provide that the Judicial Form Retirement System shall determine what constitutes a bona fide promotion or salary advancement; create a new section of KRS Chapter 21 to provide that members of the Judicial Retirement Plan who retire on or after January

1, 2018, shall be limited to a 10% annual growth in the creditable compensation earned during their last 60 months of service if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements from the compensation growth limitation; define "bona fide promotion or salary advancements" as a professional advancement in substantially the same line of work held by the member in the 4 years immediately prior to the 60 month period or a change in employment position based upon training, education, or expertise; require the Judicial Form Retirement System to refund contributions and interest on contributions for any reductions in creditable compensation; provide that the Judicial Form Retirement System shall determine what constitutes a bona fide promotion or salary advancement; amend KRS 61.598 to provide that members of the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System who retire on or after January 1, 2018, shall be limited to a 10% growth in the creditable compensation earned during their last 5 years of employment if that compensation is used to calculate their retirement benefits; provide that only creditable compensation earned on or after July 1, 2017, shall be subject to the creditable compensation growth limitations; exempt bona fide promotions or salary advancements, alternative sick leave payments, lump-sum payments for compensatory time, increases due to the member being on unpaid leave for any reason in the preceding year, and overtime paid under a grant program or due to a state or federally declared emergency; provide that the Kentucky Retirement Systems shall refund employee contributions for any reductions in creditable compensation provided by this section; provide that the Kentucky Retirement Systems shall determine what constitutes a bona fide promotion or salary advancement and allow the member to appeal a decision of the system to the board; remove provisions charging employers for creditable compensation growth greater than 10% during the employee's last 5 years of employment; amend KRS 16.645 and 78.545 to conform; EMERGENCY.

Dec 09, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

[HB 96 / AA](#) (BR 356) - [J. Fischer](#)

AN ACT relating to agency participation in the state health plan.

Amend KRS 78.530 to provide that fire districts that begin participating in the County Employees Retirement System (CERS) on or after July 15, 2017, were established by a merger or an interlocal agreement to provide public services that was entered into on or after July 15, 2017, but not later than July 15, 2018, between two or more fire districts with not more than fifteen (15) employees each, shall be exempt from the requirement of signing a contract for employee health insurance with the Personnel Cabinet as a condition of participation in CERS.

Dec 08, 2016 - Prefiled by the sponsor(s).

Jan 03, 2017 - introduced in House; to State Government (H)

Feb 08, 2017 - posted in committee

Feb 09, 2017 - reported favorably, 1st reading, to Calendar

Feb 10, 2017 - 2nd reading, to Rules

Feb 13, 2017 - posted for passage in the Regular Orders of the Day for
Wednesday, February 15, 2017

Feb 15, 2017 - 3rd reading, passed 92-0

Feb 16, 2017 - received in Senate

Feb 17, 2017 - to State & Local Government (S)

[HB 142](#) (BR 901) - [A. Koenig](#), [C. Morgan](#)

AN ACT relating to surcharges on insurance policies.

Amend KRS 136.392 to specify that a rate change in a premium surcharge rate used to supplement both the Law Enforcement Foundation Program fund and the Firefighters Foundation Program fund shall only be adjusted by an Act of the General Assembly and be applied 90 days after the effective date of the Act; EFFECTIVE July 1, 2017.

Jan 05, 2017 - introduced in House

Feb 07, 2017 - to Banking & Insurance (H)

[HB 167](#) (BR 826) - [J. Miller](#)

AN ACT relating to the Kentucky Retirement Systems.

Amend KRS 16.642 to clarify that the board of trustees shall have the power to invest State Police Retirement System (SPRS) funds in the same fashion as Kentucky Employees Retirement System (KERS) funds under KRS 61.650; amend KRS 61.645 to allow the Kentucky Retirement Systems board to promulgate an administrative regulation to conduct trustee elections by electronic ballot; amend KRS 78.790 to clarify that the board of trustees shall have the power to invest County Employees Retirement System (CERS) funds in the same fashion as KERS funds under KRS 61.650; state that amendments to KRS 16.642 and 78.790 are made to conform to amendments made to KRS 61.650 in 2002 to show intent to apply KRS 61.650 changes to SPRS and CERS.

Jan 07, 2017 - introduced in House

Feb 07, 2017 - to State Government (H)

[HB 173 / AA](#) (BR 825) - [J. Miller](#)

AN ACT relating to the Kentucky Retirement Systems.

Amend KRS 16.505 to require that lump-sum payments or nonrecurring payments provided to members of the State Police Retirement System (SPRS) shall, as determined by the board, be credited when earned or classified as a lump-sum bonus and averaged over the career of the member as it relates to "creditable compensation"; require that for members entering SPRS on or after September 1, 2008, compensatory time payments excluded from "creditable compensation" apply to lump-sum compensatory time payments; amend the definition of "final compensation" to utilize partial fiscal years in determining the final compensation of a member who began participating in SPRS on or after September 1, 2008, but prior to January 1, 2014, in situations where the member does not have three

complete fiscal years of service; make technical amendments; amend KRS 16.582 to remove language which prohibits an injury or disease resulting from military service from being considered a disabling condition for hazardous members of Kentucky Retirement Systems; amend KRS 61.510 and 78.510 to utilize partial fiscal years in determining the final compensation of a member who began participating in the Kentucky Employees Retirement System (KERS) and the County Employees Retirement System (CERS) on or after September 1, 2008, but prior to January 1, 2014, in situations where the member does not have the required three (hazardous) or five (nonhazardous) complete fiscal years of service; require that lump-sum payments or nonrecurring payments shall, as determined by the board, be credited when earned or classified as a lump-sum bonus and averaged over the career of the member as it relates to "creditable compensation"; provide that interim positions in KERS and probationary positions in CERS shall not be renewable by the employer for the same employee unless the employee has not been employed by the agency for 12 months; require that for members entering KERS or CERS on or after September 1, 2008, compensatory time payments excluded from "creditable compensation" shall apply to lump-sum compensatory time payments; make technical amendments; amend KRS 61.542 to remove the requirement that the estate be designated as beneficiary of a member's account when he or she requests a refund of contributions prior to retirement; provide that the member's estate shall be beneficiary of his or her account from Kentucky Retirement Systems if prior to retirement the member fails to designate a beneficiary or the beneficiary designation is found to be void; provide that a beneficiary may not be changed on or after the first day of the month in which a retired employee begins receiving retirement benefits; provide that reemployed retirees who establish a second retirement account will have their estate named beneficiary if they fail to designate a beneficiary for their new account; amend KRS 61.545 to remove provisions allowing a member who is simultaneously eligible for participation in more than one retirement system administered by Kentucky Retirement Systems to select participation in only one system; make conforming amendments; amend KRS 61.552 to conform to federal law the payment options available to members for purchasing service credit; remove service purchase provisions no longer applicable to current members; require agencies that fail to report employees to the retirement system to pay penalties and interest on employer contributions from the

date the contributions should have been reported to the system; make technical amendments; amend KRS 61.555 to provide that the service credit that is granted without cost to employees who are called to active duty military deployment shall be limited to those whose rights to such benefits have not been terminated under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA); require employees participating in the hybrid cash balance plan on or after January 1, 2014, who are called to active duty military deployment to pay their employee contributions if they are granted service credit, as required by USERRA, for the period of active duty deployment; require employers to make contributions for service credited to employees who are called to active duty military deployment as required by USERRA; make conforming amendments; amend KRS 61.557 to make technical amendments; amend KRS 61.560 to prevent retirees reemployed on or after September 1, 2008, from paying into the systems; make conforming amendments; amend KRS 61.590 to make technical changes; require a retiring employee to separate employment with all participating system employers; amend KRS 61.680 to provide for consolidation of accounts with other state-administered retirement systems only if the member retires simultaneously from all state-administered retirement systems or retires from the other state-administered retirement systems within one month of retiring from the systems administered by Kentucky Retirement Systems; make technical amendments; amend KRS 16.520, 61.525, 61.526, 61.5525, 61.592, 61.702, 78.540, 78.610, and 78.615 to make technical and conforming amendments.

AMENDMENTS

[HB 173 \(As Introduced\)](#)

[HCS1/AA](#) - Retain original provisions and amend KRS 16.505 relating to the State Police Retirement System (SPRS) to allocate any award of creditable compensation resulting from judicial or relevant administrative litigation to those

years when the compensation was actually earned or should have been paid by the employer; amend KRS 61.510, relating to the Kentucky Employees Retirement System (KERS), and 78.510, relating to the County Employees Retirement System (CERS), to allocate any award of creditable compensation resulting from judicial or relevant administrative litigation to those years when the compensation was actually earned or should have been paid by the employer; delete amendment to KRS 61.510 changing the definition of "interim positions" making them nonrenewable within the same 12-month period.

[HFA1](#)(B. Linder) - Delete changes to KRS 61.555 affecting employees participating in the hybrid cash balance plan on or after January 1, 2014, who are called to active duty military deployment regarding payment of their employee contributions if they are granted service credit for the period of active duty deployment.

Jan 07, 2017 - introduced in House

Feb 07, 2017 - to Appropriations & Revenue (H)

Feb 08, 2017 - reassigned to State Government (H); posted in committee

Feb 09, 2017 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)

Feb 10, 2017 - 2nd reading, to Rules

Feb 13, 2017 - posted for passage in the Regular Orders of the Day for Thursday, February 16, 2017

Feb 16, 2017 - floor amendment (1) filed to Committee Substitute

Feb 21, 2017 - 3rd reading, passed 94-3 with Committee Substitute (1) floor amendment (1)

[HB 188](#) (BR 1257) - [R. Nelson](#)

AN ACT relating to hunting and fishing licenses.

Amend KRS 150.175 to make retired first responders who are at least 50% disabled eligible for the disabled combination hunting and fishing license.

Feb 07, 2017 - introduced in House

Feb 09, 2017 - to Tourism & Outdoor Recreation (H)

[HB 190](#) (BR 12) - [S. Riggs](#), [S. Westrom](#)

AN ACT relating to special license plates and making an appropriation therefor. Amend KRS 186.172 to have the Transportation Cabinet design an alternative special firefighter plate highlighting the Kentucky Fallen Firefighter Memorial; provide that the plate is available to any vehicle owner; amend KRS 186.162 to set forth fees; provide that EF portion of fees from this plate design are to be used by the Firefighter Memorial Foundation, Inc.; APPROPRIATION.

Feb 07, 2017 - introduced in House

Feb 09, 2017 - to Transportation (H)

[HB 199/FN](#) (BR 1123) - [D. Schamore](#), [A. Koenig](#), [B. Rowland](#), [J. Sims Jr](#)

AN ACT relating to emergency personnel.

Amend KRS 61.315 and 164.2841 to make the survivors of emergency medical services personnel and rescue squad members who are killed in the line of duty eligible for the state lump-sum death benefit and exemption of matriculation or tuition fees; amend KRS 164.2842 to include the spouse or child of permanently and totally disabled emergency medical services personnel in the exemption of matriculation or tuition fees.

Feb 07, 2017 - introduced in House

Feb 09, 2017 - to State Government (H)

[HB 228 \(BR 451\) - J. DeCesare](#)

AN ACT relating to agricultural buildings and declaring an emergency.

Amend KRS 227.300 to prohibit the commissioner of Department of Housing, Buildings and Construction from requiring exempt buildings used for agritourism and previously used for agricultural purposes to install fire protection sprinkler system, create a new section of KRS Chapter 198B to prohibit any local government or special purpose governmental entity from modifying the state building code to require fire protection sprinkler systems in buildings used for agritourism activities and previously used for agricultural purposes; EMERGENCY.

Feb 07, 2017 - introduced in House

Feb 09, 2017 - to Veterans, Military Affairs, and Public Protection (H)

[HB 351 / AA \(BR 903\) - J. Miller](#)

AN ACT relating to Kentucky Retirement Systems agency participation and declaring an emergency.

Amend KRS 61.522 to remove installments as a payment option for agencies required to pay the actuarial costs for ceasing participation in the Kentucky Retirement Systems; clarify conditions in which an employee seeking to transfer funds to the ceasing employer's alternative retirement program is not included in the employer actuarial cost calculation; specify that the systems shall develop separate assumptions for determining the employer's cost to cease participation; specify the formula for determining the assumed rate of return in the cost calculation; provide noncodified language to state the provisions shall apply retroactively to any matter pending before the Kentucky Retirement Systems board; EMERGENCY.

Feb 14, 2017 - introduced in House
Feb 15, 2017 - to State Government (H)
Feb 21, 2017 - posted in committee

[HB 378](#) (BR 1264) - [J. DeCesare](#)

AN ACT relating to the Labor Cabinet.

Omnibus provisions relating to the Labor Cabinet; amend KRS 189.635 to allow accident reports to be given to OSHA investigators without a subpoena; amend KRS 336.020 to rename divisions and change method of nomination for commissioner and director; amend KRS 337.010 to update ways that an employee may receive wages and prohibit activation fees for wages on a debit card; amend KRS 336.050 to give the secretary discretion to prosecute a violation of a wage and hour law; amend KRS 337.070 to provide that a statement of wages may be paper or electronic as long as employees have access to a computer and printer; amend KRS 342.0011 relating to the definition of commissioner; amend KRS 342.122 to change the names of Labor Cabinet divisions; amend KRS 342.213 and 342.228 to change the procedure for nominating commissioners; amend KRS 342.230 to make changes to the commissioner's authority; amend KRS 342.347 relating to exemptions under open records laws; amend KRS 12.020 to move and rename divisions; repeal the following: KRS 336.140, 336.151, 336.152, 336.153, 336.156, 336.162, 336.164, 336,165, 336,1221, 336,1662, 336,1663 and 336.1664.

Feb 15, 2017 - introduced in House
Feb 16, 2017 - to Economic Development & Workforce Investment (H)

[HB 389](#) (BR 1395) - [M. Prunty](#)

AN ACT relating to training for first responders.

Amend KRS 311A.120 to require paramedics to receive HIV and pediatric

abusive head trauma training; require paramedics, emergency medical technicians, and first responders to receive autism training; create a new section of KRS Chapter 16 to require state police officers to receive autism training; create a new section of KRS Chapter 65 to require local governmental police officers, firefighters, and emergency medical services personnel to receive autism training; repeal KRS 311A.110, which requires AIDS training for paramedics, first responders, and emergency medical technicians; repeal KRS 311A.115, which requires AIDS training for paramedics; repeal KRS 311A.127, which requires pediatric abusive head trauma training for paramedics; and cite the Act as Kaleb's Law.

Feb 15, 2017 - introduced in House

Feb 16, 2017 - to Veterans, Military Affairs, and Public Protection (H)

[HB 412 / AA](#) (BR 1413) - [R. Heath](#)

AN ACT relating to retiree health reimbursements to the Kentucky Retirement Systems.

Amend KRS 61.637 to provide that effective July 1, 2017, local school districts shall not be required to reimburse Kentucky Retirement Systems for retiree health care premiums for reemployed retirees.

Feb 16, 2017 - introduced in House

Feb 21, 2017 - to State Government (H)

[HB 451/LM](#) (BR 1251) - [D. Hale](#), [T. Turner](#), [J. Sims Jr](#)

AN ACT relating to the law enforcement and firefighters foundation programs and making an appropriation therefor.

Amend various sections of KRS Chapter 15 and KRS 95A.250, relating to the Kentucky Law Enforcement Foundation Program fund and the Firefighters Foundation Program fund, to increase the annual supplement payment to local governments for qualifying law enforcement officers and firefighters from \$3,000 to \$4,000 beginning July 1, 2018; provide a reimbursement to local governments to reimburse for required contributions to the employee pension system resulting from the supplement increase; provide partial compensation for local government administrative expenses; amend KRS 95A.262 to increase the annual allocation to volunteer fire departments from the Commission on Fire Protection Personnel Standards and Education from \$8,250 to \$11,000 beginning July 1, 2018; APPROPRIATION.

Feb 16, 2017 - introduced in House

Feb 21, 2017 - to Tourism & Outdoor Recreation (H)

[HB 456/LM](#) (BR 1119) - [C. Harris](#)

AN ACT relating to labor and employment overtime provisions.

Amend KRS 337.010 to set minimum standards for administrative, executive, supervisory, and professional employees to be exempt from overtime provisions; require the commissioner of the Department of Workplace Standards to set the salary requirement every three years to determine who is exempt from the overtime provisions; amend 337.020 to conform; amend 337.285 to conform to federal requirements and conform.

Feb 17, 2017 - introduced in House

Feb 21, 2017 - to Economic Development & Workforce Investment (H)

[HB 481](#) (BR 1725) - [M. Hart](#)

AN ACT relating to tuition benefits.

Amend KRS 164.2841, relating to tuition benefits of survivors of law enforcement officers, firefighters, or volunteer firefighters who died, to stipulate that the child of the deceased is eligible for tuition if the child is over the age of 17 and under the age of 26, and that the child is eligible to receive up to 128 credit hours of undergraduate instruction; set out the same benefit structure for children eligible for tuition under KRS 61.621; amend KRS 164.2842, relating to tuition benefits of family members of law enforcement officers, firefighters, or volunteer firefighters who were permanently and totally disabled, to stipulate that the child of the totally and permanently disabled worker is eligible for tuition if the child is over the age of 17 and under the age of 26, and that the child is eligible to receive up to 128 credit hours of undergraduate instruction; set out the same benefit structure for children eligible for tuition under KRS 61.621.

Feb 17, 2017 - introduced in House

Feb 21, 2017 - to Veterans, Military Affairs, and Public Protection (H)