

# Legislative Report #9

March 16,2020

## Senate Bills

### Senate Bill 5

**Title** AN ACT relating to special purpose governmental entities.

**Sponsors** [R. Alvarado](#), [R. Mills](#), [J. Schickel](#), [D. Thayer](#)

**Summary of Original Version** Create a new section of KRS Chapter 65A to require proposed increases in ad valorem taxes and certain fees and the levy of new ad valorem taxes or fees by special purpose governmental entities to be submitted to the legislative body of the county or city in which the special purpose governmental entity is located for review; amend various sections of the Kentucky Revised Statutes to conform; repeal KRS 65A.100; EFFECTIVE January 1, 2021.

**Action** In rules in House to be voted on.

### Senate Bill 14

**Title** AN ACT relating to the taxation of pension income.

**Sponsor** [C. Embry Jr.](#)

**Summary of Original Version** Amend KRS 141.019 to increase the pension income exclusion from \$31,110 to \$41,110.

### Senate Bill 88

**Title** AN ACT relating to state-supported universities and community colleges participating in the Kentucky Employees Retirement System and declaring an emergency.

**Sponsor** W. Schroder

**Summary of Original Version** Amend KRS 61.522 to permit a state-supported university or community college ceasing participation in the Kentucky Employees Retirement System (KERS) nonhazardous plan by June 30, 2020, under the provisions of subsection (8) of KRS 61.522 (2019 SS HB 1), to make an election to retain participation in the retirement plan for only its existing employees who began participating in the systems administered by the Kentucky Retirement Systems prior to September 1, 2008, (Tier I) and, upon its effective cessation date, cease the participation of its existing employees who began participating on or after September 1, 2008, but prior to January 1, 2014 (Tier II); vary assumed rate of return/discount rate used to determine cessation costs from 3% to 4.5% based upon university/college employers' decisions regarding payment type (lump-sum vs. installments) and based on employee type (Tier I and II) and whether those employees will continue to participate in KERS after June 30, 2020; EMERGENCY.

## Senate Bill 111

**Title** AN ACT relating to the transportation of police officers, firefighters, and emergency medical services personnel killed in the line of duty.

**Sponsors** P. Wheeler, J. Higdon

### **Action**

In House State Governor

## Senate Bill 153

**Title** AN ACT relating to a tax credit for volunteer firefighters.

**Sponsors** P. Wheeler, T. Buford, C. Embry Jr., M. Nemes, J. Schickel

**Summary of Original Version** 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 to evaluate the impact of the credit; amend KRS 141.0205 to provide the ordering of the credit; amend KRS 131.190 to allow reporting by Department of Revenue.

## Senate Bill 216

**Title** AN ACT relating to employment of part-time adjunct instructors for the Kentucky Fire Commission.

**Sponsors** M. Nemes, P. Wheeler

**Summary of Original Version** Amends KRS 61.637 to allow a part-time adjunct instructor for the Kentucky Fire Commission, who has not participated in the Kentucky Employees Retirement Systems prior to retirement, but is eligible to retire from the County Employees Retirement System, to retire and draw benefits without being required to resign from his or her position as part-time adjunct instructor for the Kentucky Fire Commission.

## Senate Bill 239

**Title** AN ACT relating to local government pension plans.

**Sponsor** M. Wilson

**Summary of Original Version** Amend KRS 90.400 and 90.410 to permit the board of trustees of a legacy city pension fund having fewer than twelve active and retired members or beneficiaries to offer those individuals a one-time irrevocable option to convert monthly pension benefits from the fund to monthly annuity benefits from an insurance company for the same amount, require the insurance company to honor any features and options available under the existing plan, and require the

board to provide beneficiaries with complete and appropriate disclosures sufficient to make an informed decision; amend 95.290 to permit the board of trustees of a legacy policemen's pension fund or firefighters' pension fund in a city of the first class having fewer than twelve active and retired members or beneficiaries to offer those individuals a one-time irrevocable option to convert monthly pension benefits from the fund to monthly annuity benefits from an insurance company for the same amount, require the insurance company to honor any features and options available under the existing plan, and require the board to provide beneficiaries with complete and appropriate disclosures sufficient to make an informed decision; amend KRS 95.530, 95.622, 95.767, and 95.869, to permit the board of trustees of a local legacy policemen's and firefighters' pension fund having fewer than twelve active and retired members or beneficiaries, to offer those individuals a one-time irrevocable option to convert monthly pension benefits from the fund to monthly annuity benefits from an insurance company for the same amount, require the insurance company to honor any features and options available under the existing plan, and require the board to provide beneficiaries with complete and appropriate disclosures sufficient to make an informed decision; amend KRS 95.620 to conform.

Action      In Senate Rules to be voted on.

## **House Bills**

## **House Bill 8**

**Title** AN ACT relating to ground ambulance service providers and making an appropriation therefor.

**Sponsors** R. Rothenburger, M. Hart, L. Bechler, A. Bowling, D. Elliott, D. Frazier, C. Fugate, D. Hale, D. Lewis, S. Lewis, C. Massey, K. Moser, P. Pratt, M. Prunty, S. Santoro, S. Sheldon, J. Sims Jr, N. Tate

**Summary of Original Version** Create new sections of KRS Chapter 205 to define terms; establish the Medicaid ground ambulance service provider assessment; require ground ambulance service providers to pay a Medicaid ambulance service provider assessment quarterly; authorize the Cabinet for Health and Family Services to promulgate administrative regulations necessary to implement the Medicaid ground ambulance service provider assessment; create the ambulance service assessment revenue fund; APPROPRIATION.

**Action** Senate A&R

## **House Bill 14**

**Title** AN ACT relating to tuition benefits and making an appropriation therefor.

**Summary of Original Version** Amend KRS 164.2841, relating to college tuition benefits for spouses and children of specified emergency response personnel and public employees who have died in the course of their duties to specify that the beneficiary is eligible for up to a maximum of 128 credit hours of undergraduate instruction; amend KRS 164.2842, relating to college tuition benefits for spouses and children of specified emergency response personnel and public employees who have been totally and permanently disabled in the course of their duties to specify that the beneficiary is eligible for up to a maximum of 128 credit hours of undergraduate instruction.

**Summary** Retain original provisions of the bill, but remove maximum credit hour limitation in Section 1; make technical changes in Section 2.

Action Senate Education

## **House Bill 18**

**Title** AN ACT relating to fire districts.

**Sponsor** [J. Nemes](#)

**Summary of  
Original  
Version**

Amend KRS 75.040 to deem that emergency ambulance service provided by a fire protection district, volunteer fire department district, or subdistrict, is the primary emergency ambulance service within the district or subdistrict in the boundaries of the county containing the largest population within the district boundaries; add a method for boards of trustees to declare that the district or subdistrict is not the primary provider of emergency ambulance service within the district; declare status for secondary providers of emergency ambulance service; require that the additional tax moneys allowed for being a primary provider are no longer allowable; and require local governments providing secondary emergency ambulance service within the district or subdistrict within the boundaries of the county containing the largest population within the district boundaries to credit the amount of taxes paid by taxpayers of the district or subdistrict for emergency ambulance service to the taxes owed to the local government by the taxpayer.

Action Senate State Governor

## **House Bill 35**

**Title** AN ACT relating to the taxation of pension income, making an appropriation therefor, and declaring an emergency.

**Sponsors** R. Huff, J. Blanton, T. Bojanowski, K. Bratcher, R. Brenda, M. Dossett, D. Hale, K. King, S. Lewis, C. Massey, P. Pratt, S. Riley, W. Thomas

**Summary of Original Version** Amend KRS 141.019 to increase the pension income exclusion from \$31,110 to \$41,110; apply retroactively for taxable years beginning on or after January 1, 2018; require the Department of Revenue to automatically issue refunds; APPROPRIATION; EMERGENCY.

## **House Bill 83**

**Title** AN ACT relating to elimination of the certificate of need and declaring an emergency.

**Sponsor** R. Wiederstein

## **House Bill 89**

**Title** AN ACT relating to dually employed retirement system members.

**Sponsors** J. Tipton, D. Graham, J. Graviss

**Summary of Original Version** Amend KRS 61.545 to provide that if a member is working in a regular full-time hazardous duty position that participates in the Kentucky Employees Retirement System or the County Employees Retirement System and is simultaneously employed in a nonhazardous position that is not considered regular full-time, the member shall participate solely as a hazardous duty member and shall not participate under the nonhazardous position unless he or she makes an election within 30 days of taking employment in the nonhazardous position; amend KRS 61.680 to conform; specify that provisions shall only apply to prospective nonhazardous employment occurring on or after the effective date of the Act.

**Summary** Retain original provisions, except to specify that the part-time nonhazardous employment must be with a different participating employer and that the provisions shall only apply to initial employment in a part-time nonhazardous position.

Action Senate State Government

## **House Bill 97**

**Title** AN ACT relating to First Responder Recognition Day.

**Sponsors** C. Massey, C. Freeland

**Summary of Original Version** Create a new section of KRS Chapter 2 to designate the first Saturday of October of each year as "First Responder Recognition Day"; require the Governor to proclaim the date each year and require state flags to be lowered on state public buildings from sun-up to sun-down on that day.

Action Senate State Government

## **House Bill 100**

**Title** AN ACT relating to emergency medical service fees and declaring an emergency.

**Sponsors** R. Rothenburger, J. DuPlessis, N. Tate



**Summary of Original Version** Create a new section of KRS Chapter 67 to allow a fiscal court to levy a fee on certain units for the provision of emergency medical services; define units subject to fee; require fee to be placed on tax bill; allow collection by sheriff in the same manner as for property taxes; allow sheriff to receive up to 4.25% fee for collection; define "residential," "commercial," "charitable," and "educational" units; allow levy on occupied or unoccupied units or both, occupation determined at time of initial levy and July 1 thereafter; require fee increases to be imposed by ordinance; require fees collected to be placed in separate fund, used only for provision of emergency medical services; specify that fees are not to be in lieu of any taxes or fees established for the provision of emergency medical services; EMERGENCY.

## **House Bill 184**

**Title** AN ACT relating to fire protection and making an appropriation therefor.

**Sponsors** R. Rothenburger, J. Blanton, A. Bowling, D. Lewis, P. Pratt

**Summary of Original Version** Amend KRS 95A.520 and 95A.540, relating to volunteer fire department mergers, to make it applicable to volunteer fire departments merging prior to the effective date of the Act; create a new section of KRS Chapter 95A to provide that for volunteer fire departments merging after the effective date of the Act, the Fire Commission shall pay to the departments the number of qualified shares of volunteer fire department aid each is entitled to for a period of 20 years after the date of the merger, upon the expiration of which the merged department shall receive only one share; provide contingency protocols if the merged fire department becomes unqualified; amend KRS 95A.540 to apply contingency protocols of new volunteer fire department for fire departments merging prior to the effective date of the act; create a new section of KRS Chapter 95A to provide a contingency protocol if a new volunteer fire department is created out of the merged one during the 20 year period; amend KRS 95A.262 to increase the volunteer fire department aid to \$15,000 annually from \$11,000 annually.

Action Passed House to Senate

## **House Bill 207**

**Title** AN ACT relating to the Kentucky Retirement Systems.

**Sponsor** J. Miller

**Summary of Original Version** Housekeeping legislation for the Kentucky Retirement Systems;

Action in Senate State Government

## **House Bill 212**

**Title** AN ACT relating to the taxation of pension income.

**Sponsors** A. Tackett Laferty, C. Booker, K. Flood, J. Graviss, D. Lewis, B. Wheatley, L. Willner

**Summary of Original Version** Amend KRS 141.019, relating to the individual income tax, to increase the pension income exclusion from \$31,110 to \$41,110.

## **House Bill 245**

**Title** AN ACT relating to the taxation of pension income.

**Sponsors** J. Blanton, R. Brenda, C. Fugate, J. Graviss, D. Lewis

**Summary of Original Version** Amend KRS 141.019, relating to the individual income tax, to increase the pension income exclusion from \$31,110 to \$41,110.

## Actions

- 01/13/20 • introduced in House
- 01/15/20 • to Appropriations & Revenue (H)

## House Bill 254

**Title** AN ACT relating to financial responsibility of motor vehicle operators.

**Sponsor** D. Elliott

**Summary of  
Original  
Version**

Create a new section of KRS Chapter 189 to define "expenses of an emergency response," "public agency," and "reasonable costs"; require a driver who drives on a highway that has been barricaded due to flooding be held liable for the costs of rescue or recovery; allow a driver convicted of violating KRS 189.290 for driving on a highway that is flooded to be held liable for the costs of rescue or recovery; limit liability under this section to \$2,000; allow insurance policies to exclude coverage for a person's liability under this section; amend KRS 189.290 and 39F.120 to conform; amend KRS 304.39-020 to exclude charges under Section 1 of the act from the definition of medical expenses; create a new section of 304.39 to allow motor vehicle liability insurance policies to exclude coverage for a person's liability under Section 1 of the Act.

## House Bill 262

**Title** AN ACT relating to state-supported universities and community colleges participating in the Kentucky Employees Retirement System and declaring an emergency.

**Sponsors** M. Hart, S. Maddox, K. Banta

**Summary of Original Version** Amend KRS 61.522 to permit a state-supported university or community college ceasing participation in the Kentucky Employees Retirement System (KERS) nonhazardous plan by June 30, 2020, under the provisions of subsection (8) of KRS 61.522 (2019 SS HB 1), to make an election to retain participation in the retirement plan for only its existing employees who began participating in the systems administered by the Kentucky Retirement Systems prior to September 1, 2008, (Tier I) and, upon its effective cessation date, cease the participation of its existing employees who began participating on or after September 1, 2008, but prior to January 1, 2014 (Tier II); vary assumed rate of return/discount rate used to determine cessation costs from 3% to 4.5% based upon university/college employers' decisions regarding payment type (lump-sum vs. installments) and based on employee type (Tier I and II) and whether those employees will continue to participate in KERS after June 30, 2020; EMERGENCY.

## **House Bill 271**

**Title** AN ACT relating to death-in-line-of-duty benefits and declaring an emergency.

**Sponsor** J. Blanton

**Summary of  
Original  
Version**

Amend KRS 16.601 and 61.621 to remove provisions which reduce line of duty or duty-related death benefits upon remarriage; establish non-codified sections to: provide that an eligible surviving spouse who has subsequently remarried shall have their benefit increased; provide that an eligible surviving spouse of a member whose death was determined by the systems to be a direct result of an act in line of duty or a duty-related injury, but chose to receive monthly death benefits in lieu of line of duty benefits, shall receive line of duty or duty-related death monthly benefits; provide that Kentucky Retirement System shall establish process by which a surviving spouse of a member who died prior to retirement and prior to April 13, 2018, may apply for the line of duty death benefits; EMERGENCY.

Action In Senate State Government

## **House Bill 305**

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

**Sponsors** C. Massey, S. Santoro, R. Rothenburger, B. Wheatley

**Summary of  
Original  
Version**

Create various sections of KRS Chapter 65 to define terms; establish procedures for the creation of a consolidated emergency services district; authorize that certain local government officials shall appoint the board of trustees of the district; provide a formula for determining the number of elected members, qualifications of elected members, terms, non-partisan elections, nomination procedures, removal, and district apportionment requirements; establish officers of the district and compensation of officers; provide \$100 per day to appointees, elected members compensated pursuant to KRS 64.527; establish the quorum of the board; establish an advisory committee, number, qualifications of appointees, duties of committee and compensation of members; exceed \$0.30 per \$100 valuation, allow for ballot question for expanded taxation for additional services to be provided, and provide that the additional tax may be either an ad valorem or occupational license tax; allow the board to levy an insurance premium tax or an occupation and license tax;

declare that upon creation of a district, the board assumes all duties, responsibilities, and liabilities of former departments or districts, former jurisdictions to be special taxing districts until indebtedness is relieved and that all previously entered into interlocal agreements shall remain in force for their duration; set requirements relating to CERS; amend KRS 65.180 to define consolidated emergency services district as a "taxing districts"; amend KRS 68.180 to grant districts in counties over 300,000 the power to levy a license and occupation tax; amend KRS 68.197 to grant districts in counties over 30,000 the power to levy a license and occupation tax; amend KRS 75.020 to include creation of a district within the definition of merger; amend KRS 78.530 to allow for any districts, not all to be excluded from the provisions; amend KRS 91A.080 to include consolidated emergency services districts; amend KRS 95A.500 to allow the district to receive qualified shares of merged fire districts; amend KRS 118.305 to place elected trustees on ballot; amend KRS 118.315 to include nominating petitions for elected trustees; amend KRS 134.119 to provide that the sheriff shall be compensated for collecting taxes for consolidated emergency service districts; APPROPRIATION.

## **House Bill 324**

**Title** AN ACT relating to a tax credit for volunteer firefighters.

**Sponsors** J. Graviss, M. Hart, R. Goforth, R. Rothenburger, J. Sims Jr, A. Tackett Laferty, B. Wheatley

**Summary of Original Version** 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; amend KRS 131.190 to allow reporting.

## **House Bill 329**

**Title** AN ACT relating to a tax credit for volunteer firefighters.

**Sponsor** A. Tackett Laferty

**Summary of  
Original  
Version**

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 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.

## **House Bill 343**

**Title** AN ACT relating to supplemental payments to police officers.

**Sponsor** M. Prunty

**Summary of Original  
Version** Amend KRS 15.420 to include members of joint task forces who do not currently receive an annual supplement.

- Action 2nd reading, to Rules posted for passage in the Regular Orders of the Day for Tuesday, March 17, 2020

## **House Bill 352**

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

**Sponsor** S. Rudy

The State/Executive Branch Budget: Detail Part I, Operating Budget; appropriate to General Government: 2019-2020: \$21,535,000, 2020-2021: \$1,793,871,500, 2021-2022: \$1,813,688,900; appropriate to the Economic Development Cabinet: 2020-2021: \$33,195,900, 2021-2022: \$36,055,300; appropriate to the Department of Education: 2020-2021: \$5,183,508,800, 2021-2022: \$5,228,565,200; appropriate to the Education and Workforce Development Cabinet: 2020-2021: \$615,595,100, 2021-2022: \$617,246,200; appropriate to the Energy and Environment Cabinet: 2019-2020: \$700,000, 2020-2021: \$272,541,300, 2021-2022: \$253,649,300; appropriate to the Finance and Administration Cabinet: 2019-2020: \$2,800,000, 2020-2021: \$1,000,424,300, 2021-2022: \$972,192,200; appropriate to the Health and Family Services Cabinet: 2020-2021: \$15,007,584,100, 2021-2022: \$15,285,043,300; appropriate to the Justice and Public Safety Cabinet: 2019-2020: \$17,216,900, 2020-2021: \$1,345,687,300, 2021-2022: \$1,369,130,400; appropriate to the Labor Cabinet: 2020-2021: \$202,693,700, 2021-2022: \$204,407,600; appropriate to the Personnel Cabinet: 2020-2021: \$64,171,200, 2021-2022: \$64,610,500; appropriate to Postsecondary Education: 2019-2020: \$497,400, 2020-2021: \$8,536,480,700, 2021-2022: \$8,930,169,100; appropriate to the Public Protection Cabinet: 2020-2021: \$129,067,100, 2021-2022: \$129,301,700; appropriate to the Tourism, Arts and Heritage Cabinet: 2019-2020: \$2,700,000, 2020-2021: \$275,773,400, 2021-2022: \$281,291,000; appropriate to the Budget Reserve Trust Fund: 2020-2021: \$10,000,000, 2021-2022: \$0; not included in the appropriation amounts are capital project amounts as follows: 2019-2020: \$7,500,000, 2020-2021: \$6,537,358,500, 2021-2022: \$249,695,600; 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.

**Summary of  
Original  
Version**



**Title** AN ACT relating to emergency medical services professions reciprocity.

**Sponsors** D. Frazier, S. Rudy

**Summary of  
Original  
Version**

Amend KRS 311A.142 to require reciprocity of certification or licensure for any member of the United States military who is registered by the National Registry of Emergency Medical Technicians as an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic; grant reciprocity to any emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic that is currently certified or licensed and is in good standing with a state contiguous to Kentucky.

**Action** Passed both houses.

## **House Bill 375**

**Title** AN ACT relating to reorganization.

**Sponsors** M. Hart, J. Tipton

**Summary of  
Original  
Version**

Amend KRS 95A.020 to define "chief fire officer"; change the name of the Commission on Fire Protection Personnel Standards and Education to the Kentucky Fire Commission; attach the commission to the Kentucky Community and Technical College System for administrative purposes; require the

commission to have male, female, and minority representation; require that no more than three appointed members reside in the same congressional district; reduce the number of members from 17 to 14; change the qualifications for certain members appointed to the commission by the Governor; amend various sections to conform.

Action on consent in Senate

## **House Bill 427**

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

**Sponsor** K. Upchurch

**Summary of  
Original  
Version**

Amend KRS 186.162, regarding special license plates, to reiterate that the county clerk's fee charged is the standard clerk's fee for vehicle registration; establish extra fees for the firefighters special license plate to benefit the Kentucky Volunteer Firefighters Association; establish extra fee for the Masonic special license plate to benefit the Masonic Homes of Kentucky; set fees for special license plates established under KRS 186.164; eliminate the requirement for a special license plate for motorcycle to have 300 signatures; amend KRS 186.040 to conform; APPROPRIATION

## **House Bill 436**

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

**Sponsor** K. Banta

**Summary of Original Version** Amend KRS 210.365 to make firefighters eligible for crisis intervention team training along with law enforcement officers currently permitted such training; amend KRS 95A.220 with an appropriation of \$1,250,000 each fiscal year for treatment of full-time and volunteer firefighters affected by post-traumatic stress injury (PTSI) and/or post-traumatic stress disorder (PTSD); allow no PTSD eligibility for disability retirement; declare legitimate personnel actions not compensable, diagnosis required by psychiatrist, psychologist or counselor; APPROPRIATION.

## **House Bill 439**

**Title** AN ACT relating to certificate of need for ambulance service providers.

**Sponsors** R. Rothenburger, J. Blanton

**Summary of Original Version** Amend KRS 216B.020 to require the Cabinet for Health and Family Services to promulgate administrative regulations establishing standards for a certificate of need for ambulance service providers.

## **House Bill 479**

**Title** AN ACT relating to policemen's and firefighters' retirement funds of the urban-county governments.

**Sponsors** S. Lee, R. Palumbo, J. Blanton, G. Brown Jr, K. Flood, J. Graviss, P. Pratt, C. Stevenson

**Summary of  
Original  
Version**

Amend KRS 67A.440 to delete the provision that a surviving spouse's retirement benefit shall end upon remarriage; amend KRS 67A.450 to provide that for members of policemen's and firefighters' retirement funds of urban-county governments who would have been eligible for voluntary retirement at the time of their death, which is not in the line of duty, an annuity death benefit shall not be provided to the surviving spouse and provide that a deceased member otherwise eligible for a voluntary service retirement is presumed to have retired on the date of death calculated with credit for accumulated sick leave credit; amend KRS 67A.462 to prevent a member on disability retirement from holding a sworn position as an elected, paid, or volunteer peace officer, firefighter, paramedic, or other position of public safety/hazardous duty, and permit the board of trustees to make reasonable investigations, including hearings, to ensure compliance with disability provisions; amend KRS 67A.492 to provide a surviving minor child or children annuity in addition to the retirement benefits for surviving spouses and, based on factors including whether the surviving spouse is eligible for benefits and the number of minor children, set the benefits at between 50% and 75% of a member's final annuity, final rate of pay, or service retirement, whichever is greater, and allow benefit to extend to adult children between 18 and 23 enrolled in full-time educational activities; amend KRS 67A.530 to provide that retired fund members voting for representatives to the board of trustees shall vote for nominees of the department, police or fire, from which the member retired; amend KRS 67A.560 ensuring statutory and regulatory compliance with the Internal Revenue Code, applicable federal regulations, and published guidance; amend KRS 67A.660 to require the board to fix the time for a rehearing at the board's next scheduled meeting after the filing of the application.

**House Bill 484**

**Title** AN ACT relating to retirement.

R. Webber, M. Meredith, K. Banta, J. Blanton, T. Bojanowski, K. Bratcher, G. Brown Jr, T. Burch, L. Elkins, D. Frazier, C. Freeland, C. Fugate, J. Gooch Jr., D. Hale, M. Hart, R. Heath, S. Heavrin, C. Howard, T. Huff, J. Jenkins, S. Lewis, S. Maddox, C. Massey, B. McCool, R. Meyer, J. Nemes, P. Pratt, M. Prunty, B. Reed, R. Rothenburger, B. Rowland, S. Rudy, S. Santoro, J. Sims Jr, W. Thomas, K. Upchurch, B. Wheatley, L. Yates

**Summary of  
Original  
Version**

Create a new section of KRS 61.510 to 61.705 to specify contents/intent of bill which includes transferring the administration of the County Employees Retirement System (CERS) from the Kentucky Retirement Systems (KRS) Board of Trustees to the CERS board of trustees established by the Act; provide that the administration of the Kentucky Employees Retirement System (KERS) and the State Police Retirement System (SPRS) shall continue to be the responsibility of the KRS Board of Trustees; provide that the Kentucky Public Pensions Authority (KPPA) established by the Act shall provide personnel needs, day-to-day administrative duties, and other duties for the KRS Board of Trustees and the CERS Board of Trustees; and to provide that it is the intent of the General Assembly in the 2021 Regular Session to enact legislation to create separate statutory benefit structures for KRS and CERS while retaining shared statutes that relate to administrative provisions that will be the responsibility of the KPPA; create a new section of KRS Chapter 61 to establish the KPPA membership, duties, and powers; provide that membership shall include 4 KRS board members, 4 CERS board members, and one additional member appointed by the Governor who shall vote only in the case of a tie; provide that effective April 1, 2021, KRS staff shall become the staff of the KPPA to serve the needs of both the KRS and CERS boards; provide that effective July 1, 2021, staff of the KPPA shall be transferred into a personnel system administered by the KPPA; provide that the KPPA shall not be subject to reorganization by the Governor; create a new section of KRS 78.510 to 78.852 to establish CERS Board composition with powers/duties/reporting requirements similar to the KRS Board in KRS 61.645; provide that the CERS board shall not be subject to reorganization by the Governor; amend KRS 61.645 to remove CERS representation from the KRS board and to establish a new 9 member KRS Board who will administer KERS and SPRS; provide that the KERS board shall not be subject to reorganization by the Governor; amend KRS 78.790 to establish a CERS Investment Committee and requirements for an investment procurement policy by the CERS board; create new sections of KRS 78.510 to 78.852 to add in actuarial valuation requirements/experience study requirements/reporting requirements of actuarial data and reports for the newly created CERS board and the process for the CERS board to determine employer contribution rates; amend KRS 11A.010, 11A.201, and 11A.236 to add the CERS Board and the KPPA to the Executive Branch Code of Ethics requirements; amend KRS 66.400 to provide that no municipality may file bankruptcy if it is in default or delinquent in paying contributions to CERS; amend KRS 61.701 to establish a CERS

insurance trust fund for retiree health benefits separate from the KRS insurance trust fund and to move CERS funds in the KRS insurance trust fund to the CERS insurance trust fund; amend KRS 78.535 to add in KRS 61.522 provisions regarding employer cessation of participation for CERS and to provide that the CERS Board shall determine the cost of ceasing participation; amend KRS 78.540 to add in provisions of KRS 61.535 and 61.550 relating to when membership ceases that were previously cross-referenced in KRS 78.545; amend KRS 78.625 to add in employer reporting provisions that were included in KRS 61.675 for KERS employers and were previously cross-referenced via KRS 78.545; make technical amendments; amend KRS 78.852 to restore language in the statutes due to a recent court decision and to provide that CERS employers are responsible for funding CERS obligations; amend KRS 6.350, 7A.250, 18A.205, 18A.225, 42.276, 42.728, 61.510, 61.522, 61.535, 61.552, 61.555, 61.592, 61.637, 61.650, 61.670, 61.702, 64.475, 64.640, 70.293, 78.510, 78.530, 78.545, 78.610, 78.615, 95.022, and 95.290 to conform, make technical and clarifying amendments to provide the same authorities to the CERS board as provided the KRS board and to restore language in the statutes due to a recent court decision; repeal KRS 78.533, 78.534, 78.532, 78.542, and 78.780; establish noncodified language to provide that decisions made by the KRS Board on behalf of CERS will stand and shall not be reversed except under authority granted by KRS 78.510 to 78.852; provide that the 3 elected CERS trustees serving/elected to the KRS board on April 1, 2021, shall be the 3 elected trustees of the new CERS Board; provide that the 2 elected KERS trustees and 1 SPRS trustee serving/elected to the KRS Board on April 1, 2021, shall continue to serve on the newly amended KRS Board; provide that the Governor shall make the initial appointments to the new KRS and CERS Board by March 1, 2021; provide that the Governor shall not reorganize the KRS board prior to the new boards being established; specify that no provision of this Act shall increase or decrease benefits; specify that no provision of this Act shall limit the General Assembly's authority held prior to the Act; confirm the CERS board election process passed in 2019 to synchronize elections; provide that the effective date of Sections 1 to 46 of this Act shall be April 1, 2021.

Action

In Senate

## **House Bill 513**

**Title** AN ACT relating to firefighters and making an appropriation therefor.

Sponsor M. Hart

**Summary of  
Original Version**

Amend KRS 95A.210 to allow firefighters employed by air boards created under KRS Chapter 183 to participate in the Firefighters Foundation Program fund.

Action

In rules in House