

2013 General Assembly

Employment Law Bills of Interest

Through the Filing Deadlines

This table shows selected employment law and related bills filed in the 2013 General Assembly.

How to use the e-version: To see the Legislative Research Commission summary of a bill and check its status, click the bill number. To see the text of the bill and amendments, click the links in the summary. For a complete list of bills, view the legislature's own website:

www.lrc.ky.gov.

This chart was compiled by Kentucky Equal Justice Center. For more information, or to share comments on a bill, contact Rich Seckel at richseckel@kyequaljustice.org.

Topic	Bill #	Sponsor	Summary
Civil Rights	HB 171	Marzian	Prohibit discrimination based on sexual orientation or gender identity in housing, employment, more; allow enforcement by human rights commissions
Civil Rights	SB 28	Stein	Prohibit discrimination based on sexual orientation or gender identity in housing, employment, more; allow enforcement by human rights commissions
Corrections	HB 22	Yonts	Misdemeanor expungement: clarify that the term "violation" as used in KRS 431.078 has the same meaning as set out in the Kentucky Penal Code
Corrections	HB 47	Owens	Expungement: allow for Class D felony under specified circumstances; provide for rights re firearms; require AOC to keep confidential index
Corrections	HB 50	Owens	Misdemeanor expungement: provide that "violation" does not include most motor vehicle violations
Corrections	HB 57	Yonts	Misdemeanor expungement: clarify that a traffic infraction does not disqualify a person from seeking expungement; details
Corrections	HB 72	Simpson	Felony expungement: allow under specified circumstances; require AOC to keep confidential index; provide for rights re firearms
Corrections	HB 342	Crenshaw	Require software utilized by AOC to allow felony cases to be redesignated as misdemeanor cases when case concludes with no felony conviction
Corrections	SB 79	Denton	Allow expungement of multiple misdemeanors or violations; allow expungement of felony charges on which no indictment has issued after 24 months

Corrections	SB 90	Neal	Expungement: allow felony record to be expunged under specified circumstances; begin 5-year waiting period from date of adjudication of offense; details
Corrections	SB 131	Jones II	Expungement: allow a Class D felony to be expunged under same circumstances as misdemeanor; allow possession of firearm; more
Econ Dev	HB 406	Hall	Allow employer hiring a qualifying employee a job stimulus tax credit; link amount to tax withheld on wages
Employment →	HB 3	Overly	Human trafficking: create victims fund, civil cause of action; require asset forfeiture by offenders; provide triple damages for related wage theft; more
Employment	HB 6	Thompson	Employer tax credits: require Bluegrass State Skills Corporation to consider employee retention requirements in guidelines for skills training; more
Employment	HB 97	Jenkins	Prohibit employers from discharging or retaliating against employee crime victim who takes leave to attend proceedings associated with the crime
Employment	HB 102	Nelson	UI: impose monetary penalty for recipients improperly obtaining benefits through misrepresentation at 15% of overpayment; more
Employment	HB 162	Donohue	Allow both full and limited licensure as an elevator mechanic; details
Employment	HB 228	Yonts	Retirement system: authorize retiree health coverage through health savings accounts or a health insurance exchange; more
Employment	HB 292	Steele	Employment First Act: state policy that competitive employment in integrated settings for persons with disabilities is a priority in state agencies; details
Employment	HB 308	Decesare	“Right to Work:” prohibit mandatory membership or financial support of a labor organization as a condition of employment; penalties
Employment	HB 309	Decesare	Prohibit use of project labor agreements in city, county, and state construction procurements; details
Employment	HB 311	Decesare	Specify that prevailing wage requirements shall not apply to education building projects
Employment	HB 312	Decesare	Abolish Prevailing Wage Review board; related provisions
Employment	HB 375	Pullin	Urge boards and commissions to review military training and accept military training towards licensure or certification in occupational specialties

Employment	HB 379	Steele	Exempt from new miner training persons who are contracted by a licensee but who do not perform duties related to extraction or production of coal
Employment	HB 388	D. Watkins	Create KY Retirement Systems unfunded liability trust fund; impose additional 50-cents tax on pack of cigarettes; earmark proceeds for trust fund; more
Employment	HB 401	Marzian	Prohibit wage discrimination on basis of sex, race, or national origin by prohibiting wage differentials for employees who perform equivalent jobs
Employment	HB 416	Stumbo	Pension system funding: dedicate tax collected on historical horse race wagering after annual threshold has been met
Employment	HB 430	Palumbo	Urban County Police and Firefighters pension bill: enact numerous changes to improve solvency; raise retirement age and years of service required; more
Employment	HCR 106	Glenn	Urge Dept of Workers' Claims to continue to monitor, collect data and search for innovative solutions in area of reopenings and medical disputes
Employment	SB 2	Thayer	State retirement: replace defined benefit plan with "hybrid cash balance plan;" specify retirement age, contributions, minimum interest; eliminate COLAs
Employment	SB 49	McDaniel	Extend time period in which a mechanic's lien must be filed when multiple contractors are involved in a project
Employment	SB 57	McDaniel	Require Kentucky Retirement Systems to disclose upon request the names and benefit of each member; make information available on website
Employment	SB 77	Wilson	Require commissioner of ed to initiate appropriate due process procedures in response to a teacher's appeal of a superintendent's termination charge
Employment →	SB 89	Schickel	Misclassification: stipulate that prime contractor is not responsible for subcontractor's misclassification of independent contractors as employees; more
Employment	SB 104	Westerfield	Prohibit project labor agreements in state, local government, school and higher ed construction contracts
Employment	SB 105	Westerfield	Repeal the prevailing wage requirement; abolish the Prevailing Wage Review Board; make conforming amendments
Employment	SB 113	Buford	Workers' comp: recognize temporary partial disability benefits; allow attorney's fees for medical fee disputes decided in favor of claimant; more
Employment	SB 157	Westerfield	"Drug free workplace:" establish program; permit testing; shift workers comp burden of proof for positives; define positives as misconduct for UI

Employment	SB 165	McDaniel	Allow employees in Kentucky Employees Retirement Systems to make one-time irrevocable election to discontinue participation with refund of contributions
Employment	SB 168	McDaniel	Allow employers in Kentucky Retirement Systems to discontinue participation for new hires provided that employer offers an alternative plan; details
Employment	SB 171	Carroll	Create state employee compensation fund to provide 2% raises each year; establish mechanism for funding through fine and fee increases; details
Employment	SB 202	Carpenter	Authorize workers' compensation self-insured groups to contract and sue and be sued in the name adopted by the group
Family	HB 73	Burch	Adult protection: require CHFS to establish National and State Background Check Program for prospective employees of long-term-care facilities
Family	SB 100	Harper Angel	Require CHFS to establish a registry of individuals substantiated to have abused, neglected or exploited adults; details
Health	HB 190	Westrom	Statewide Smoke Free: Prohibit smoking in indoor places of business, places of employment, listed public places; require signage; more
Health	HB 365	Greer	Redefine "employer-organized association" for the purpose of health plans
Health	HB 367	Palumbo	Require CHFS to create and maintain an adult abuse registry; make registry available electronically; prohibitions; appeals
Housing	HB 214	Riggs	Establish KY Board of Roofing Contractors; assign duties and powers to the board; establish licensing requirements and fees for roofing contractors; more
Housing	SB 174	Schickel	Give master HVAC contractor's license to person with proof of experience of not less than two years as a mechanic; details
Immigration →	HB 396	Bell	Certificates for driving: require Transportation Cabinet to issue for non-citizen adults who have resided in KY for 3 years or more; \$100 fee; details
Transportation	HB 286	Keene	DUI: replace current hardship license system with an ignition interlock licensing system
Utilities	HB 211	Thompson	Allow large industrial consumers of electricity to purchase electricity from any person; require retail suppliers to serve large industrial consumer
Utilities	SB 71	Bowen	Allow large industrial consumers of electricity to purchase electricity from any person; require retail suppliers to serve large industrial consumer

Key KEJC has worked on bill →

Bill has passed one chamber