

2013 General Assembly

Top Bills of Interest

Through the Filing Deadlines

This table shows selected bills filed in the 2013 General Assembly to date. It includes measures that would affect low-income people and communities and some that simply figure prominently in this year's legislative debates. It is organized by topics, as follows:

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How to use: To jump to a topic, click on the links above. 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
Access	HB 31	Wayne	Establish public financing for judicial campaigns; allow income tax and bar dues check off
Access	HB 105	Jenkins	Allow bench trial in guardianship if all parties agree and judge finds no reason to require a jury trial
Access	HB 346	Tilley	Clarify that Supreme Court authority over Kentucky Bar Association stems from issuance of court rules and not from administrative regulations
Access	HB 391	Koenig	Constitutional amendment: give authority to Chief Justice to redistribute resources of judicial branch to reflect workload and to draw judicial districts
Access	SB 98	Turner	Allow trustees of county law libraries using alternative financing plan under KRS 172.180 to purchase equipment for county law libraries; more
Civil Rights	HB 70	Crenshaw	Constitutional amendment: allow persons convicted of a felony to vote after expiration of sentence; exceptions for intentional killing, sex crimes; details

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	HB 279	Damron	Specify that government shall not burden a person's or religious organization's freedom of religion; protect right to act or refuse to act
Consumer	HB 49	Denham	Allow KY Higher Ed Student Loan Corp to establish administrative garnishment; limit to 10% of disposable pay
Consumer	HB 120	Westrom	Establish appraisal management company education, research, and recovery fund; establish procedures for making claims
Consumer	HB 145	Yonts	Provide for a one-year statute of limitations for actions brought against professional land surveyors
Consumer	HB 178	Owens	Payday loan bill: limit APR to 36%; provide remedies for violations
Consumer	HB 192	Kerr	Allow a judgment lien to be served on the debtor's or creditor's attorney of record
Consumer	HB 200	Jenkins	Property tax liens: allow option for local governments to purchase and collect tax liens; increase related powers of land banks; more
Consumer	HB 232	Watkins	Allow local governments to refer debts to the Department of Revenue for collection action as state agencies currently do; provide for offsets; more
Consumer	HB 259	Collins	Require disclosure of imposition of surcharge on buyer based on method of payment
Consumer	HB 275	Graham	Allow sale of vehicle's contents to satisfy a lien for towing and storage charges
Consumer	HB 296	Sinnette	Tax lien foreclosure: deem actual attorney's fees of up to \$2000 reasonable, with additional actual and warranted fees allowable by court
Consumer	HB 351	Simpson	SOL: provide that actions to recover deficiency judgments in foreclosure must be brought within two years of the foreclosure sale
Consumer	HB 426	Denham	Remove prohibition against employing attorneys through a personal service contract for collection of revenue owed to Commonwealth by a resident
Consumer	HCR 105	Shell	Urge Congress to enact S. 209, which would require a full audit of the Federal Reserve
Consumer	SB 22	Webb	Prohibit a secondary metals recycler from conducting

			business without a certificate of registration issued by the Office of Occupations & Professions
Consumer	SB 27	Buford	Decrease the right of redemption period from one year to six months for land sold under execution for less than two-thirds of its value
Consumer	SB 41	Carroll	Set a six year statute of limitations on actions under a revolving credit plan unless contract provides otherwise; more
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 48	Rollins	Abolish the death penalty and replace it with life imprisonment without parole for inmates presently sentenced to death
Corrections	HB 57	Yonts	Misdemeanor expungement: clarify that a traffic infraction does not disqualify a person from seeking expungement; details
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 23	Schickel	Expand availability of post-conviction DNA testing
Criminal	HB 196	Jenkins	Sexual abuse: clarify that lack of consent is not an element of crime when there is sexual contact between minor and person in position of special trust
Criminal	HB 393	York	Harassing communications: include communications other than telephone calls from which no conversation ensues
Criminal	SB 78	Gregory	Crime victims compensation: suspend debt collection against crime victims where debt is related to a recoverable claim through the board; more
Econ Dev	HB 242	Clark	Require a searchable electronic database containing information on cost and status of state economic incentive programs
Econ Dev	SB 50	Hornback	Industrial hemp: establish conditions and procedures for licensing of industrial hemp growers by the Department of Agriculture
Education	HB 98	Jenkins	Teen dating violence: require local school boards to adopt policy; require the Center for School Safety to develop materials; more
Education	HB 224	Greer	Dropout prevention: raise age for compulsory school attendance to 17 by 2017, 18 by 2018; allow local

			districts to change earlier; more
Education	SB 97	Givens	Dropout prevention: permit school districts to require children to attend school until age 18; details
Education	SB 216	Seum	Permit parent to enroll child in school nearest to the child's home, except in cases in which there are academic or skill prerequisites for attendance
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 102	Nelson	UI: impose monetary penalty for recipients improperly obtaining benefits through misrepresentation at 15% of overpayment; more
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 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 401	Marzian	Prohibit wage discrimination on basis of sex, race, or national origin by prohibiting wage differentials for employees who perform equivalent jobs
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 89	Schickel	Misclassification: stipulate that prime contractor is not responsible for subcontractor's misclassification of independent contractors as employees; more
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
Environment	HB 86	Wayne	Stream saver bill: require coal mine permittees to dispose of remaining overburden in mined area; prohibit disposal in streams; more
Environment	HB 348	Gooch	Oil and gas wells: require operator to post a reclamation bond; specify separate requirements for plugging and reclamation bonds; details
Environment	HB 424	Gooch	Establish the Kentucky reclamation guaranty fund as a non-lapsing revolving account and attach it to the Energy and Environment Cabinet

Family	HB 9	Tilley	Include dating partners among the class of persons allowed to obtain domestic violence protective orders
Family	HB 69	Tilley	Child visitation: provide that order based on military deployment shall be temporary and shall revert back to the previous decree at the end of the deployment
Family	HB 123	Burch	Address confidentiality: require the Commission on Women to create a confidential address protection program open to victims of certain offenses
Family	HB 169	Marzian	Establish conditions for adjusting child support on the basis of a shared parenting order for physical custody; amend guidelines table
Family	HB 222	Jenkins	Establish a crime victim address protection program for victims of domestic violence and abuse, stalking, and felony sexual offenses
Family	HB 290	Burch	Establish an external child fatality and near fatality review panel; establish its membership, duties, and responsibilities
Family	SB 100	Harper Angel	Require CHFS to establish a registry of individuals substantiated to have abused, neglected or exploited adults; details
Family	SB 115	Forgy Kerr	Child welfare: establish right of parents, foster and preadoptive parents and relatives providing care to be heard in court; adopt new interstate compact; more
Family	SB 121	Stein	Gun control: require background checks for private firearms sales; require judges issuing protective orders to consider prohibiting possession; more
Family	SB 141	Smith	Define “safe child drop-off areas” and allow courts to require exchanges of child custody to take place in such areas
Family	SB 187	Denton	Require CHFS to consider improvements to foster care system; require report to IJC on Health and Welfare by November 1 of each year
Government	HB 1	Stumbo	Establish a central registry for reporting and audit requirements for special purpose governmental entities; require budgets; more
Government	HB 356	Wuchner	Delay effective date of administrative regulations with a major economic impact (over \$750,000) until effective date of legislation ratifying the reg; details
Health	HB 5	Stumbo	Medicaid Managed Care: grant DOI power to enforce prompt payment laws in disputes regarding MCOs; allow claims by patients or providers; more
Health	HB 23	S. Lee	Define “health benefit exchange” and “small employer” for the purposes of exchange group health plans; prohibit abortion coverage
Health	HB 43	Rollins	Create special needs trust resource office and

			provide related assistance for aging caregivers; details
Health	HB 73	Burch	Adult protection: require CHFS to establish National and State Background Check Program for prospective employees of long-term-care facilities
Health	HB 172	Wuchner	Make provisions for students with life-threatening allergies to have access to an epinephrine auto-injector in school; details
Health	HB 187	Ji. Lee	Expand Kentucky Physicians Care Program to serve underinsured individuals; include Kentucky Free Health Clinic Association as a provider
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 217	Stumbo	Pill mill fix: modify the diagnostic and treatment protocols for controlled substance prescribing; clarify educational requirements for pain management; more
Health	HB 314	Damron	Medicaid LTC: provide that life insurance policy over \$10K shall not be counted as asset if applicant enters into a life settlement; more re distribution
Health	HB 349	Benvenuti III	Re duty to take precautions against a patient's violent behavior, expand definition of "patient" to include persons under care of mental health professionals
Health	HB 365	Greer	Redefine "employer-organized association" for the purpose of health benefit plans
Health	HB 367	Palumbo	Require CHFS to create and maintain an adult abuse registry; make registry available electronically; prohibitions; appeals
Health	HB 368	Damron	Allow insulin to be administered at school by trained school employees; allow a student with diabetes to self-administer medication; more
Health	HB 449	Greer	Medicaid managed care: state that copayment for a drug shall be \$1 for generic, \$2 for preferred, and \$3 for non-preferred brand-name drugs; details
Health	SB 3	Buford	Create religious exemption to the insurance code; require notice to participants that sharing expenses is not insurance; more
Health	SB 9	Denton	Establish a medical review panel system for use in civil litigation relating to long-term-care facilities
Health	SB 38	Denton	Require DMS to accept provider credentialing by a Medicaid MCO
Health	SB 39	Denton	Prohibit Kentucky from participating in Medicaid expansion under the ACA unless authorized by the

			General Assembly
Health	SB 40	Denton	Prohibit Kentucky from having a state-based health benefit exchange under the ACA unless authorized by the General Assembly
Health	SB 74	Gregory	Require HANDS agency to abide by new definitions, demonstrate that it is part of a system of care, report data to Public Health
Health	SB 101	Buford	Permit completion of a “medical order for scope of treatment” directing the use of life-prolonging treatment; definition; details
Health	SB 108	Denton	Require DMS or a Medicaid MCO to contract directly with IMPACT Plus providers and manage all aspects of the program; more
Health	SB 152	Carpenter	Insurance housekeeping: delete requirement that KY Access enrollee whose premium rates exceed claims for 3 years be issued a notice of insurability; more
Health	SB 172	Seum	Remove board of health’s ability to adopt regulations by transferring authority to local legislative body; bar health department rules regulating guns
Housing	HB 94	Jenkins	Established simplified method for elderly or vulnerable adults to petition for an order to prevent trespassing onto petitioner’s residence
Housing	HB 108	Jenkins	Allow victim of assault, domestic violence, or stalking to terminate their lease upon thirty days written notice to the landlord; details
Housing	HB 255	Smart	Allow KHC to process mortgage loans and administer federal or state program contracts for entities located inside or outside Kentucky
Housing	SB 21	Higdon	KHC housekeeping: expand eligibility for funding from AHTF to low-income tax credit rental housing developments; 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
Housing	SB 185	Seum	Allow a planning unit to incorporate airport noise overlay districts within its zoning texts and maps; details
Immigration	HB 131	Richards	Permit school districts to enroll refugees and legal aliens over age 21 in approved high school programs until they graduate or reach age 23
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
Juvenile	HB 115	Bratcher	Provide that a crime victim may publicly discuss information related to his or her own case during a juvenile court proceeding

Juvenile	HB 116	Bratcher	Allow a peace officer to release a truant child to the child's school; amend KRS 630.030 to allow a peace officer to detain a truant child
Juvenile	HB 436	Horlander	Open delinquency proceedings in juvenile courts to public if child was at least 13 at the time of offense; presume other proceedings to be open; details
Juvenile	SCR 35	Westerfield	Establish task force to study Unified Juvenile Code, including issues related to status offenders, use of community resources, alternatives to detention; more
Public Assistance	HB 394	Shell	Require CHFS to implement substance abuse screening program for applicants and recipients of public assistance with history of substance abuse
Public Assistance	SB 179	Westerfield	Limit purchases with public assistance benefits; require recipients to be notified of prohibited purchases; permit a protective payee for violators
Taxes	HB 142	Wayne	Progressive tax reform: decouple KY estate tax from fed; enact refundable state EIC; impose sales tax on some services; reduce pension exclusion; more
Taxes	HB 189	Clark	Impose a tax of one-half of one percent on amounts wagered through advance deposit wagering account licensees by Kentucky residents
Taxes	HB 400	Wayne	Exclude from adjusted gross income discharge of indebtedness for taxable years beginning on or after January 1, 2013
Taxes	SB 133	Harris	Income tax: exclude income from discharge of indebtedness for taxable years beginning on or after January 1, 2013
Transportation	HB 282	Hall	Booster seats: require booster seats to be used by children less than 9 years old and between 40 and 57 inches in height
Utilities	HB 27	Thompson	Create new sections of KRS to address extension, acquisition, and condemnation by city-operated natural gas distribution systems
Utilities	HB 211	Thompson	Big Rivers: Allow large industrial consumer to purchase electricity from any person; require retail suppliers to serve large industrial consumer
Utilities	SB 88	Hornback	Relieve phone companies from obligation to provide basic local service if alternative (wireless) service available; remove PSC jurisdiction over complaints
Veterans	HB 375	Pullin	Urge boards and commissions to review military training and accept military training towards licensure or certification in occupational specialties
Veterans	SB 1	Stivers	Adopt the Uniform Military and Overseas Voters Act (UMOVA)