

## 2014 General Assembly

### New Bills of Interest

#### *February 24 to Filing Deadlines*

Here are selected new bills filed recently in the General Assembly. The list is organized by topic. Highlights include:

- [HB 530](#) Provide certificates for driving for undocumented adults
- [HB 541](#) Protect tax delinquencies from sale for properties in redevelopment areas
- [HB 556](#) Implement substance abuse screening for public assistance programs
  
- [SB 157](#) Establish pilot project to open juvenile proceedings to the public
- [SB 176](#) Provide for health care and school-related decisions by non-parent caregivers
- [SB 184](#) Allow expungement of non-violent offenses by victim of human trafficking
- [SB 190](#) Establish conditions for adjusting child support award based on visitation

**How to use:** 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](http://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](mailto:richseckel@kyequaljustice.org).

Topic	Bill #	Sponsor	Summary
Access	<a href="#">SB 180</a>	Westerfield	Require that opinions of the Kentucky Supreme Court be made available to the public without cost online
Access	<a href="#">SB 189</a>	Westerfield	Establish standards for contingency fee personal service contracts for legal services; require AG to make written findings of need; more
Access	<a href="#">SB 222</a>	Webb	Establish clean judicial elections fund; define terms; distribute transfers to certified judicial candidates running for Justice of the Supreme Court; details
Access	<a href="#">SB 223</a>	Webb	Direct that funds recovered through judgment or settlement legal action filed by the Attorney General go into the General Fund; more
Budget	<a href="#">HB 584</a>	Stumbo	Constitutional amendment: allow the General Assembly to authorize new forms of gaming by general law
Civil Rights	<a href="#">HR 174</a>	Meeks	Celebrate the 50th Anniversary of the civil rights movement and Kentucky's historic involvement therein
Civil Rights	<a href="#">SB 240</a>	Neal	Require preparation of a racial impact statement for all bills

Civil Rights	<a href="#">SR 193</a>	Neal	Celebrate the 50th Anniversary of the civil rights movement and Kentucky's historic involvement therein
Consumer	<a href="#">HB 457</a>	Floyd	Allow purchase of corporate owned life insurance (COLI) insuring life of employees; allow employee to refuse coverage in most cases
Consumer	<a href="#">HB 481</a>	De. Butler	Permit automotive recycling dealer or secondary metals recycling dealer to purchase a motor vehicle 10 years old or older without a title
Consumer	<a href="#">HB 487</a>	Greer	Require insurer to perform comparison of insureds in-force life insurance policies against a Death Master File on semiannual, not quarterly, basis
Consumer	<a href="#">HB 490</a>	Jenkins	Reduce right of redemption in foreclosure from 1 year to 6 months; require redeemer to pay purchaser sale price, plus 10% and costs of maintenance & repair
Consumer	<a href="#">HB 498</a>	Richards	Require property insurers to offer sinkhole damage coverage for an additional premium
Consumer	<a href="#">HB 576</a>	King	Require insurer offering property insurance to include coverage for catastrophic ground cover collapse from sinkholes in all policies
Consumer	<a href="#">SB 164</a>	Gregory	Enact Kentucky Nonprofit Corporation Act and Kentucky Unincorporated Nonprofit Association Act; allow transitions to "public benefit corporations"
Consumer	<a href="#">SB 165</a>	Parrett	Implement Kentucky Financial Literacy Program; require high school student to complete financial literacy curriculum prior to graduation
Consumer	<a href="#">SB 183</a>	Webb	Require owner consent, court order or emergency to release information from motor vehicle event data recorder; \$500 fine for violation; details
Consumer	<a href="#">SB 214</a>	Girdler	Change judgment interest rate to lesser of 12% or 1% above prime; eliminate interest on punitive damages and future or noneconomic damages before judgment
Consumer	<a href="#">SB 226</a>	Webb	Require pawnbrokers to get proof of ownership by seller and create and maintain a record of sale for use by law enforcement for crime investigation
Consumer	<a href="#">SB 235</a>	McGarvey	Allow state to escheat US Savings Bonds proceeds that go unclaimed for 3 years; require notice by publication; set SOL for challenge at 15 years
Corrections	<a href="#">HB 545</a>	Marzian	Disallow private operation of county or urban county correctional facilities; allow private medical and food service; more
Corrections	<a href="#">HCR 180</a>	De. Butler	Establish Kentucky Capital Punishment Integrity Task Force; provide elements for selecting an individual case study; details

Criminal	<a href="#">SB 202</a>	Webb	Require Prosecutors Advisory Council to establish capital offense database, guidelines for prosecutorial discretion in capital cases; more
Econ Dev	<a href="#">HB 474</a>	Adkins	Allow coal mining or processing companies to qualify for sales and use tax incentives offered through Kentucky Enterprise Initiative Act; more
Econ Dev	<a href="#">HB 483</a>	Pullin	Allow companies with approved economic revitalization projects under KIRA to undertake supplemental projects after initial term; details
Econ Dev	<a href="#">SB 174</a>	Gregory	Divide Endow Kentucky tax credits that are awarded in each fiscal year into two equal categories of rural and urban focus gift credits; details
Econ Dev	<a href="#">SB 178</a>	Gregory	Enact Kentucky Nonprofit Corporation Act and Kentucky Unincorporated Nonprofit Association Act; allow transition to “public benefit corporation”
Education	<a href="#">HB 435</a>	G. Watkins	Require each board of education to adopt and implement a policy regarding voluntary student expression of religious viewpoints; more
Education	<a href="#">HB 455</a>	Graham	Require chief state school officer to prepare estimates for school district fund allotments and establish schedule for disbursement and equalization; details
Education	<a href="#">HB 468</a>	Rader	Allocate unexpended SEEK funds to school districts at the close of a fiscal year; require commissioner of ed to determine allotment by March 15 each year
Education	<a href="#">HB 473</a>	Denham	Require school districts to have plans and procedures to deal with student who is harassing, intimidating, cyberbullying, or bullying another student; more
Education	<a href="#">HB 478</a>	Nelson	Identify process to be used by school districts to settle nonresident student disputes
Education	<a href="#">HB 492</a>	Kay	Permit high school seniors to use their KEES awards to pay for dual credit courses; allow Asset Resolution Corporation to adopt bylaws and rules for its business
Education	<a href="#">HB 510</a>	Riner	Require KDE and CHFS to develop educational materials and policies on awareness, prevention, and reporting of child sexual abuse and assault; more
Education	<a href="#">HB 511</a>	Meeks	Require minority representation on a local school board in districts containing 10% or more minority student population; details
Education	<a href="#">HB 558</a>	Carney	Require Board of Education to identify student who obtains a sufficient score on ASVAB and enlists in a branch of service as career-ready
Education	<a href="#">HB 562</a>	S. Lee	Permit school districts to educate students about traditional winter holidays; permit students and staff to exchange seasonal holiday greetings; more
Education	<a href="#">HJR 170</a>	Kay	Direct Council on Postsecondary Education to study

			tuition and fee policies and alternative policies that mitigate financial strain on in-state students
Education	<a href="#">SB 161</a>	Westerfield	Authorize participation in public school inter-scholastic extracurricular activity by a private school student if private school does not offer the activity
Education	<a href="#">SB 173</a>	Wilson	Delete exclusion of nonresident pupils from a school's average daily attendance; require boards of ed to adopt a nonresident pupil policy
Education	<a href="#">SB 193</a>	Higdon	Prohibit school from charging tuition to a student who is allowed to enroll in a primary school program before meeting the age requirement
Education	<a href="#">SB 211</a>	Wilson	Permit a local board of education to designate a persistently low-achieving school as a charter school; details
Education	<a href="#">SB 224</a>	Schickel	Require state board to recommend new content standards for schools after consultation with Council on Postsecondary Ed; require public involvement
Employment	<a href="#">HB 439</a>	Combs	Modify the operation of a mechanic's lien relative to oil, gas, or other mineral leases
Employment	<a href="#">HB 467</a>	Denham	Create e-mail notification system for cancellation of a business' workers' compensation coverage; details
Employment	<a href="#">HB 496</a>	Hoover	"Right to Work:" prohibit mandatory membership in or financial support of a labor organization as a condition of employment
Employment	<a href="#">HB 504</a>	Greer	Require the Division of Workers' Compensation Funds to attempt to settle special fund claims; allow attorneys' fees of 1% of lump sums; more
Employment	<a href="#">HB 507</a>	Sinnette	Allow attorneys' fees in worker's comp medical fee disputes; require benefits to be paid until age 70 or 5 years after the injury; amend reopening statutes; more
Employment	<a href="#">HB 546</a>	Wayne	Reform procurement, budgeting, disclosures, fees and oversight of all public employee retirement plans
Employment	<a href="#">HB 557</a>	Montell	Require Division of Workers' Comp to settle special fund claims; eliminate funding of Labor Cabinet from special fund assessments; more
Employment	<a href="#">HCR 179</a>	Hoover	Establish Kentucky Teachers' Retirement System Task Force to study and develop recommendations on benefits, investments, and funding of the system
Employment	<a href="#">HJR 188</a>	Kay	Direct Personnel Cabinet to promulgate administrative regulations governing emergency overtime
Employment	<a href="#">SB 168</a>	Wilson	Include teacher's failure to meet the requirements of a corrective action plan as a reason for termination or

			suspension of a contract
Employment	<a href="#">SB 169</a>	Wilson	Clarify causes for teacher contract termination; establish due process procedures for a teacher's appeal of a discharge
Employment	<a href="#">SB 184</a>	Westerfield	Allow expungement of non-violent offenses by victim of human trafficking; create affirmative defense for human trafficking victims
Employment	<a href="#">SB 188</a>	Westerfield	Establish alternative examination for licensure as an electrician; conduct the examination at KCTCS locations; fees; more
Employment	<a href="#">SB 215</a>	Rhoads	Increase minimum wage to \$10.10 over 3 years; raise tipped employees' minimum wage to \$3 per hour and increase until 70% of the minimum wage; more
Employment	<a href="#">SB 216</a>	McDaniel	Allow certain employers participating in Kentucky Employees Retirement System to cease participation or be required to cease participation; more
Environment	<a href="#">HB 466</a>	Hall	Provide for funding for companies that develop and expand the market for liquefied and compressed natural gas as alternative transportation fuel; details
Environment	<a href="#">HB 491</a>	Kay	Establish database of endangered plant species and prohibit activity which would threaten or harm the species; details
Family	<a href="#">HB 440</a>	Combs	Estates: clarify that statutorily enumerated spousal exemption is taken from entire personal estate of decedent prior to payment of specified expenses
Family	<a href="#">HB 471</a>	Denham	Include electronic communication as a form of harassing communication
Family	<a href="#">HB 476</a>	Koenig	Include stalking and conduct which seriously alarms another person as grounds for issuance of a domestic violence protective order; more
Family	<a href="#">HB 501</a>	Kerr	Include stalking in the definition of domestic violence and abuse, allowing protective orders to be issued
Family	<a href="#">HB 517</a>	Meade	Establish a tax credit in an amount equal to the medical costs to a birth mother when she places the newborn for adoption
Family	<a href="#">HB 525</a>	Tilley	Establish the Kentucky Child Care Advisory Council; establish membership; establish duties; require an annual report
Family	<a href="#">HB 537</a>	Bell	Make flagrant non-support a gross misdemeanor; provide that gross misdemeanants are state prisoners; more
Family	<a href="#">HB 566</a>	Adams	Establish that notice be sent to parties that a citizen foster care review board review is occurring

Family	<a href="#">HCR 91</a>	Wuchner	Encourage CHFS to study Paternity Acknowledgment Program and devise strategies to encourage identification of father on birth certificates
Family	<a href="#">SB 176</a>	Harper Angel	Establish an affidavit for caregivers to authorize health care treatment and school-related decisions for children in their care; more
Family	<a href="#">SB 190</a>	Westerfield	Establish conditions for adjusting child support award under guidelines table on the basis of a shared parenting order for physical custody
Family	<a href="#">SB 233</a>	McGarvey	Strangulation: include as offense considered by a court re whether a person has committed a substantial violation of a domestic violence order
Family	<a href="#">SB 234</a>	Palmer	Provide for a permanent restraining order for victims of sex offenses; enter automatically upon a conviction or plea of guilty for a violation; details
Government	<a href="#">SB 171</a>	Jones	Require legislative employers to disclose all amounts paid to legislative agents for specific legislative or executive matters; more
Government	<a href="#">SB 221</a>	Gregory	Give Speaker of the House and President of the Senate standing to intervene in judicial proceedings if constitutionality of Kentucky law is challenged; more
Health	<a href="#">HB 442</a>	Crimm	Require all public schools to have full-time nurse on staff; require General Assembly to appropriate funds to cover the cost
Health	<a href="#">HB 453</a>	Burch	Establish the Kentucky Denturity Board; establish composition, duties, and authority of the board; require a license to practice denturity
Health	<a href="#">HB 458</a>	De. Butler	Allow peace officers, firefighters, paramedics, and EMTs to prescribe, possess and use naloxone at scene of opioid drug overdose
Health	<a href="#">HB 460</a>	Burch	Require health facilities to implement infection prevention programs for high-risk areas; provide for reporting, penalties
Health	<a href="#">HB 482</a>	Greer	Amend definition of “health care provider” to include psychologists and psychological practitioners, OT, PT and speech therapists; more
Health	<a href="#">HB 499</a>	Richards	Require insurers offering Medicare supplement policies to offer them to individuals under 65 who are eligible for and enrolled in Medicare
Health	<a href="#">HB 505</a>	Burch	Reorganization: establish the Office of the Kentucky Health Benefit Exchange
Health	<a href="#">HB 509</a>	Bunch	Require a facility that has performed a mammogram to notify a patient if a physician determines that the patient has dense or extremely dense breasts
Health	<a href="#">HB 526</a>	Tilley	Require payment to community mental health centers

			not less than levels determined by annual prospective cost basis calculations; more re MCO payments
Health	<a href="#">HB 527</a>	Tilley	Add primary care services to services that community mental health centers shall provide, reimbursable at Medicaid rates set for primary care centers
Health	<a href="#">HB 549</a>	Graham	Require staff-to-resident ratios in long-term care facilities; set minimum requirements; prohibit admission of new residents if facility fails to comply
Health	<a href="#">HB 564</a>	Bunch	Set requirements for emergency medical service administrators; require EMS providers to adopt the Kentucky State EMS Protocol
Health	<a href="#">HB 575</a>	G. Watkins	Require ultrasound prior to an abortion; allow civil suit for medical malpractice if not performed; provide a criminal penalty
Health	<a href="#">HB 578</a>	Kay	Require health benefit plan to ensure that tiered copayment or coinsurance for specialty drugs not exceed \$100 per month (\$200 in aggregate); details
Health	<a href="#">SB 159</a>	Buford	Permit primary care centers to provide Medicaid managed care reimbursed school-based and Head Start-based dental care programs
Health	<a href="#">SB 162</a>	Westerfield	Prevent filing of TPR if pregnant woman who used a controlled substance during pregnancy complies with substance abuse treatment and prenatal care; more
Health	<a href="#">SB 166</a>	Leeper	Establish enrollee's right to a state fair hearing to appeal an MCO's action relating to care received or proposed to be given to an enrollee; details
Health	<a href="#">SB 185</a>	Gibson	Establish procedures for a Managed Care Organization to change an existing agreement with a provider
Health	<a href="#">SB 191</a>	Denton	Require that one Medicaid managed care organization shall provide medical care to foster children; details
Health	<a href="#">SB 201</a>	Denton	Require that a managed care organization reimburse equally for all administration methods of suboxone
Health	<a href="#">SB 236</a>	Harper Angel	Create Kentucky clinical health trials fund; divert funds from former Kentucky Access; allocate portion of funds for study of medical marijuana
Housing	<a href="#">HB 456</a>	Kay	Allow a 60-day grace period after expiration to renew HVAC license; allow termination or payment of renewal fee for reinstatement after grace period; more
Housing	<a href="#">HB 486</a>	Hall	Create income tax credit for taxpayers who purchase ENERGY STAR manufactured homes between 1/2017 and 12/31/2021
Housing	<a href="#">HB 541</a>	Jenkins	Protect tax delinquencies from sale for properties in identified redevelopment areas; streamline eminent

			domain process for blighted properties
Housing	<a href="#">HB 542</a>	DeWeese	Allow TIF financing for 3 mixed uses that equal 20% of a total mixed-use redevelopment project under a consolidated local government
Housing	<a href="#">HB 544</a>	Crenshaw	Allow urban-county government to impose additional 2.5 % transient room tax to support mixed-use economic development projects
Housing	<a href="#">HB 561</a>	Horlander	Clarify that all forms of local governments may certify properties as blighted/deteriorated and may take properties through eminent domain
Housing	<a href="#">SB 181</a>	Westerfield	Require Circuit Courts to decide appeals of planning and zoning decisions within 120 days; require supersedeas bond to offset any losses during appeal
Immigration	<a href="#">HB 530</a>	Sinnette	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	<a href="#">HB 506</a>	Jenkins	Require interagency agreements to include a method to reimburse private child-care agencies for services provided to state agency children during school day
Juvenile	<a href="#">SB 157</a>	Givens	Request Supreme Court to establish pilot project to permit participating courts to make specified juvenile proceedings presumptively open to the public
Juvenile	<a href="#">SB 200</a>	Westerfield	Require risk and needs assessment for consideration at disposition hearing
Juvenile	<a href="#">SB 212</a>	Palmer	Require a sentencing judge to make a determination, when youthful offender turns 18, whether the youth should be sentenced as a violent offender
Public Assistance	<a href="#">HB 469</a>	Nelson	Require persons born after January 1, 1995, to have a high school diploma, GED, or equivalent to be eligible for public assistance payments
Public Assistance	<a href="#">HB 554</a>	Shell	Establish a graduated earnings disregard program to incentivize public assistance recipients to seek employment
Public Assistance	<a href="#">HB 555</a>	Shell	Require photo IDs on all welfare benefit cards; details
Public Assistance	<a href="#">HB 556</a>	Shell	Implement substance abuse screening program for applicants and recipients of public assistance with history of felony or misdemeanor substance abuse
Public Assistance	<a href="#">HB 563</a>	S. Lee	Limit purchases with public assistance benefits; to the extent allowed by federal law, require persons in violation to reimburse the cabinet; details
Taxes	<a href="#">HB 438</a>	Combs	Allow Department of Revenue to establish tax fraud whistleblower program

Taxes	<a href="#">HB 451</a>	St. Onge	Clarify that “rough trade-in” or “clean trade-in” value shall not to be used to determine standard value of a motor vehicle for tax valuation
Taxes	<a href="#">HB 454</a>	Dossett	Exempt motor vehicles sold or transferred to resident members of the Armed Forces from motor vehicle taxes
Taxes	<a href="#">HB 459</a>	Jenkins	Allow fire departments to increase property tax every 5 years by \$.02 per \$100, cap at \$.20 per \$100; provide for sheriff to get 1% collection fee
Taxes	<a href="#">HB 463</a>	Combs	Exempt retail sale of pre-owned manufactured home or 50% of gross receipts from sale of new manufactured home from sales and use tax
Taxes	<a href="#">HB 515</a>	Couch	Increase amount of coal severance tax deposited into Local Government Economic Development Fund from 50 percent to 75 percent; details re distribution
Taxes	<a href="#">HB 522</a>	L. Clark	Impose a tax of one-half of one percent on amounts wagered through advance deposit wagering account licensees by Kentucky residents
Taxes	<a href="#">HB 543</a>	Coursey	Provide a deduction for charitable health care services provided by health care providers
Taxes	<a href="#">HB 581</a>	Steele	Create a new tax on retirees of the Kentucky Employees Retirement Systems
Transportation	<a href="#">HB 464</a>	Simpson	Change from 3 to 1 the times a person may have their vehicle registration revoked for not maintaining insurance before it constitutes violation; fees; details
Transportation	<a href="#">HB 534</a>	York	Require space on an operator’s license for the designation of a hearing or speech impairment
Transportation	<a href="#">SB 167</a>	Harris	Establish rural transportation planning organization in each area development district; details
Transportation	<a href="#">SB 196</a>	Stivers	Include Transportation Cabinet as an agency that can promulgate regulations identifying individuals who must submit to skills test for an operator’s license
Utilities	<a href="#">HB 443</a>	Sinnette	Allow cities to deny utility franchisees the ability to recover from ratepayers the franchise fee by adding a fee or surcharge to the bill; more
Utilities	<a href="#">HB 485</a>	Hall	Require PSC to establish additional utility service shut-off and reconnection protections for hardship situations; notice requirements; more
Utilities	<a href="#">HB 508</a>	Westrom	Kentucky River Authority: proscribe multiple members from same county or employees, officers, or directors of a for-profit water utility
Utilities	<a href="#">HB 535</a>	Riggs	Increase rated capacity limit of 30 kilowatts to 500

			kilowatts for electric generating facilities eligible for net metering
Utilities	<a href="#">HB 560</a>	Hall	Allow natural gas utility to recover in rates part of the cost of infrastructure for fueling stations to offer natural gas as a vehicle fuel
Utilities	<a href="#">HB 573</a>	Adkins	Require PSC to reconsider previous multistate transaction orders if out-of-state public utility commission fails to approve transaction/utility plan
Utilities	<a href="#">SB 219</a>	Higdon	Create prepaid wireless service charge of \$.70 per month divided by \$25 (\$.0028 per mo) collected by Revenue from sellers; earmark for CMRS fund
Veterans	<a href="#">HB 540</a>	Bell	Add enlisted women to those military service personnel entitled to reimbursement from the State Treasury when ordered into active field service
Veterans	<a href="#">SB 175</a>	Higdon	Require Department of Veterans' Affairs to promulgate administrative regulations necessary to operate state veterans' cemeteries