

2015 General Assembly

New Bills of Interest

February 9 through February 13

This table shows selected new bills filed in the 2015 General Assembly during the week ending February 13. The list is organized by topics, as follows:

[Access to Justice](#)
[Budget](#)
[Civil Rights](#)
[Consumer](#)
[Corrections](#)
[Criminal](#)

[Education](#)
[Employment](#)
[Environment](#)
[Family](#)
[Government](#)
[Health](#)

[Housing](#)
[Taxes](#)
[Transportation](#)
[Utilities](#)
[Veterans](#)

How to use: To jump to a topic, click 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 398	Thompson	Medical review panels: establish a medical review panel system for use in civil litigation relating to health care providers
Access	HB 469	Yonts	Establish Citizens' Commission on Judicial and Legislative Compensation; details
Access	SB 162	Givens	Require that opinions of the Supreme Court be made available online to the public without cost
Access	SB 178	Westerfield	Franklin Circuit Court: modify standards for venue and jurisdiction; give concurrent jurisdiction to other Circuit Courts
Budget	SB 199	McGarvey	Constitutional amendment: permit the General Assembly to authorize forms of gaming by general law; submit to voters with question.
Budget	SJR 132	Stivers	Urge Congress to call an Article V convention to propose an amendment to the Constitution requiring a balanced federal budget
Civil Rights	HB 379	Marzian	Prohibit discrimination based on sexual orientation and gender identity in labor and employment practices, places of public accommodation; more

Civil Rights	SB 156	McGarvey	Prohibit discrimination based on sexual orientation and gender identity in labor and employment practices, places of public accommodation; more
Consumer	HB 361	Thompson	Taxpayer rights: require tax determinations within 6 months; abate fees if interest accrues due to agency error or delay; more
Consumer	HB 362	Simpson	Provide that amendment by affidavit cannot alter the parties or the collateral of a recorded mortgage
Consumer	HB 366	Marzian	Forbid the marketing, advertising, or promotion of firearms designed specifically to appeal to children; details
Consumer	HB 375	Kay	Kentucky Financial Literacy Commission: establish board and fund; implement educational programs for elementary students and families; details
Consumer	HB 424	Wayne	Require clerks who keep an electronic version of the cross-index of conveyance to include an audit trail of any correction as part of electronic version
Consumer	HB 430	Riner	Prohibit manufacturing, selling or distributing containers for children under age of 3 that contain bisphenol A (BPA); recall products containing BPA
Consumer	HB 470	Greer	Nonjudicial foreclosure: require 60 day notice of sale; grant owner right to request mediation or file suit to contest default within 11 days of sale; more
Consumer	SB 142	Carpenter	Permit an automotive recycling dealer or secondary metals recycler to purchase a motor vehicle ten years or older without a title
Consumer	SB 148	Westerfield	Prohibit recording mortgages unless they explicitly refer to next immediate source of title from which the mortgage or grantee derived title
Consumer	SB 158	Gibson	CPA: exempt acts permitted by a regulatory body from acts declared unlawful; add elements that a consumer must prove in an action against a seller
Consumer	SB 195	McGarvey	Consumer Loan Companies: Allow DFI to file administrative complaints, issue cease and desist orders, impose civil penalties; more
Consumer	SB 204	McGarvey	Fraudulent transfers: determine when a transfer is made; determine the intent of a debtor on a voidable transfer; establish remedies for a creditor
Corrections	HB 369	Floyd	Expand expungement of criminal charges which have been dismissed to include dismissal without prejudice
Corrections	HB 382	Bunch	Include within the definition of “violent offender” persons who have been convicted of an attempt to commit a capital offense

Corrections	HB 428	Yonts	Corrections amendments: remove requirement that offenders released by DOC present a birth certificate in order to obtain a driver's license; more
Corrections	HB 447	Benvenuti	Prohibit shock probation for manslaughter or reckless homicide conviction combined with DUI; permit victim's kin to waive prohibition
Corrections	SB 167	J. Carroll	Establish county jail restricted fund; increase fines for vehicle licensing, registration and traffic violations; earmark proceeds to fund; details
Corrections	SB 179	Neal	Allow expungement of felony record under specified circumstances; change starting date for 5-year waiting period for misdemeanor expungement; more
Criminal	HB 427	Tilley	Impose an additional \$10 fee as court costs in criminal cases to supplement funding for the State Police Internet Crimes Against Children Task Force
Criminal	SB 190	Webb	Criminal justice amendments: prohibit executions when certain mental health or competency conditions are present; more
Econ Dev	HB 356	Denham	Rural Communities Economic Advancement and Job Creation Act: provide sales and use tax incentives to projects in certain enhanced incentive counties
Econ Dev	SB 168	Robinson	Create the Kentucky Appalachian Regional Development Fund, to be administered by the Department for Local Government; details
Education	HB 376	Smart	Require teachers to be provided at least 60 minutes per day for nonteaching activities; require at least 120 minutes per week for self-directed activities
Education	HB 384	Thompson	Create tax credits for contributions to qualified tuition assistance organizations; exclude tuition assistance from definition of adjusted gross income
Education	HB 414	Tilley	Establish Books for Brains Program to develop a comprehensive statewide program to encourage preschool children to appreciate books
Education	HB 449	Graham	Require schools that remain classified as persistently low-achieving for four years to implement the internal innovation option; details
Education	SB 135	Schickel	Require school superintendent to consult with principal or designee and the school council when establishing school policy; more
Employment	HB 354	Pullin	Include assaults on public utility workers within the offense of assault in the third degree
Employment	HB 359	Thompson	Procurement: provide for the construction manager-general contractor method of capital construction; details
Employment	HB 380	Schamore	Prohibit abuse of a classified school employee when

			employee is functioning in his or her capacity as a board of education employee
Employment	HB 406	Howard	UI: allow good cause to leave a job for move to follow a military spouse relocated 100 or more miles from workers' home
Employment	HB 444	Butler	Pension "spiking:" limit increase in creditable compensation under state retirement systems to 10% during last 3 years of service; details
Employment	HB 445	Westrom	Create Kentucky Workforce Investment Board; set forth its duties, responsibilities, statutory authority and reporting requirements; require annual audit
Employment	HB 448	Steele	Require additional 2 hours of annual first-aid training for mine foremen; details
Employment	SB 157	McDaniel	Pension "spiking:" limit creditable compensation used to calculate state retirement benefits to 10% growth during last 5 years; details
Employment	SB 166	Givens	Repeal statute setting qualifications for elevator contractor licensure prior to July 1, 2012; update gender references
Employment	SB 175	Jones	Make emergency responders eligible for in-the-line-of-duty death benefits; define to include police, firefighters, EMTs: more
Employment	SB 200	D. Carroll	Increase supplemental payment to local governments for qualifying law enforcement officers and fire fighters; reimburse localities for pension cost
Environment	HB 386	Adkins	Fracking: require notice of high-volume horizontal fracturing; require baseline water quality testing; more re wells, abandoned storage tanks
Environment	HB 417	Gooch	Extend the levy of the hazardous waste management assessment until June 30, 2024
Environment	SB 180	Webb	Prescribe requirements for the transportation of municipal solid waste so as to prevent leaks, emissions and access to the wastes by pests; details
Environment	SB 186	J. Carroll	Fracking: require notice of high-volume horizontal fracturing; require baseline water quality testing; more re wells, abandoned storage tanks
Environment	SB 203	Schickel	Require that 25% of in-lieu fees contributed to the Kentucky Wetland and Stream Mitigation Fund be allocated for use on infrastructure projects; more
Family	HB 429	Tilley	Establish the Kentucky Child Care Advisory Council; establish membership and duties; require an annual report
Family	HB 432	Pullin	Increase marriage license fee by \$20; earmark funding to spouse abuse shelters, rape crisis shelters

			and children's advocacy centers
Family	HB 439	Denham	Include strangulation as offense considered by court in deciding whether a person has committed a substantial violation of a domestic violence order
Family	HB 441	Meade	Adoption: establish putative father registry; redefine time when consent to adoption becomes final; require party requesting paternity test to pay for test; more
Family	HB 460	Denham	Create a trust to be used to establish accounts for the benefit of disabled persons as a companion to the federal ABLE Account legislation
Family	HB 462	Riggs	Require licensed child-care centers to be tested for radon at least once every 5 years as part of initial licensure and renewal; require posting of results
Family	SB 137	Girdler	Domestic violence: require 12 hour hold prior to release on bail for perpetrators if pretrial assessment indicates risk of future harm to the victim
Family	SB 140	Adams	Require that interested parties be notified of review by a citizen foster care review board and of the right to attend and participate
Family	SB 177	Westerfield	Adoption: establish putative father registry; redefine time when consent to adoption becomes final; require party requesting paternity test to pay for test; more
Family	SB 181	Webb	Dependency, abuse, neglect: clarify that persons investigated retain their constitutional rights; require provision of information form; details
Family	SB 182	Adams	Child abuse: establish new juvenile proceeding definitions, requirements and fees for court appointed attorneys; more
Family	SB 188	Schroder	Create a trust to be used to establish accounts for the benefit of disabled persons as a companion to the federal ABLE Account legislation
Family	SB 197	Westerfield	Clarify the process for recording court orders relating to name changes by the county clerk
Government	HB 400	Benvenuti	Prohibit future members of the General Assembly from participating in state retirement programs; allow current members to discontinue participation
Government	HB 426	Westrom	Area development districts: require Department for Local Government to prepare a manual of requirements for area development districts; details
Government	HB 443	Combs	Set framework for use of public-private partnerships (P3s) as alternative method of procurement, construction, or financing projects and services
Government	SB 152	Schroder	Modify the method of calculating the per diem salary for retired judges or justices called to temporary active judicial service

Government	SB 194	Schroder	Exclude from participation in state retirement plans judges or other public servants convicted of a felony related to the duties of the office; details
Government	SB 198	Westerfield	Extend protection of press sources to include licensing and regulatory boards and subpoenas
Health	HB 377	Schamore	Permit a collaborative agreement between more than one pharmacist and practitioner if certain agreement provisions are met
Health	HB 383	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	HB 393	Fisher	Require determination of fetal age prior to an abortion; prohibit abortion after 20 weeks of fetal development except in cases of emergency; more
Health	HB 431	D. Watkins	Require CHFS to establish a National and State Background Check Program for prospective employees of long term care facilities; details
Health	HB 438	Clark	Include electronic cigarettes in tobacco products subject to cigarette tax
Health	HB 465	Greer	Require same reimbursement to optometrists as for the same services rendered by a physician or osteopath; details
Health	HJR 124	Marzian	Impose moratorium on grants under waste tire program established to promote use of the materials due to recycled tires' potential threat to the health
Health	HR 129	D. Watkins	Encourage Kentuckians to learn about risks of human papilloma virus-related cancers and benefits of human papilloma virus vaccine
Health	SB 139	Embry	Permit eligible patients to use investigational drugs, biological products or devices for a terminal illness; prohibit sanctions of health care providers: details
Health	SB 144	Alvarado	Require applicants for licensure as diabetes educator to meet a requirement for hours worked under supervision as promulgated in regulation by the board
Health	SB 159	Adams	Require information to be provided to new or expectant parents upon a diagnosis of spina bifida
Health	SB 170	Adams	Establish a framework for licensure of genetic counselors; establish advisory committee; details
Health	SB 173	Hornback	Establish Hospital-to-Home Transition Program to provide temporary services to elderly and disabled persons discharged from an institutional setting
Health	SB 185	J. Carroll	Establish requirements for cost savings

			demonstration projects for the state employee health plan and state Medicaid plan.
Health	SB 189	Adams	Smoke free: prohibit indoor smoking in businesses, places of employment and other listed public places; details
Housing	HB 368	Marzian	Apply Uniform Residential Landlord and Tenant Act (URLTA) statewide
Housing	HB 371	Riggs	Radon certification: change renewal cycle from annually to biennially; delete requirement that measurement be supervised by a certified individual
Housing	HB 372	Jenkins	Create setback from residential property lines for deposit of wastes into special waste landfill; allow exemption from set back by agreement
Housing	HB 389	Kay	Allow first-time homebuyer an additional deduction of up to 25% of interest allowed by IRS for interest paid on indebtedness on qualified residence
Housing	HB 405	Jenkins	Allow residential tenants who hold a DVO to terminate a lease with at least 30 days notice; allow landlord to recover from abuser; more
Housing	HJR 134	Thompson	Direct Housing, Buildings and Construction to study the issue of statewide enforcement of the entire Building Code, set reporting date for study
Housing	SB 141	Adams	Establish certification requirements and fees for roofing contractors; exempt homeowners and farm owners working on their own home or farm
Housing	SB 155	McGarvey	Allow a planning unit to incorporate airport noise overlay districts within its zoning texts and maps; more
Housing	SB 187	McGarvey	Require homebuilders to provide notice of reasonable accommodations for persons with disabilities; create a civil action and relief for failure to provide notice
Taxes	HB 364	Bratcher	Establish a tax refund check off designation for the Honorable Order of Kentucky Colonels
Taxes	HB 374	Wayne	Tax reform: implement Kentucky earned income tax credit; disallow tax haven transactions; implement a throwback rule for income not taxed elsewhere
Taxes	HB 387	Kay	Endow Kentucky tax credit: allow additional time for a taxpayer to provide the proposed endowment gift to the applicable community foundation
Taxes	HB 391	Collins	Exempt dental prostheses from sales and use tax
Taxes	HB 399	Thompson	Clarify that no interest is due on estimated tax payments; allow for annualized income for taxpayers

			whose income fluctuates during the year; more
Taxes	HB 419	Tilley	Establish rape crisis center trust fund; create tax refund check-off for rape crisis centers
Taxes	HB 452	Montell	Establish apparently wholesome food income tax credit equaling 20% of the fair market value of donated apparently wholesome food
Taxes	HB 454	Montell	Exempt portion of electricity, natural or artificial gas, propane and water purchased and used by a restaurant from sales and use tax
Taxes	SB 171	Humphries	Exempt gross receipts from a charitable auction held by a nonprofit civic, governmental or other nonprofit organization from sales and use tax
Taxes	SB 183	McGarvey	Establish a refundable earned income tax credit at 10% of allowed federal earned income tax credit
Transportation	HB 365	Meeks	Allow Kentucky residents under the age of 18 to prepay fines for certain traffic violations, if they are accompanied by a parent or a guardian
Transportation	HB 388	Kay	Expand the list of controlled substances that are included under per se driving under the influence
Transportation	HB 390	Imes	Allow issuance of a disabled parking placard to persons age 80 or older
Transportation	HB 394	Coursey	Require indication of expiration date of disabled parking placard by month and year hole-punch; increase fines; earmark 75% to personal care program
Transportation	SB 153	Harris	Reestablish requirements for motor carrier vehicle licenses; clarify concurrent authority of cities and the state over buses, taxicabs, limousines, etc.
Transportation	SB 163	Givens	Authorize Transportation Cabinet to promulgate regulations identifying individuals who must submit to a skills test for an operator's license
Utilities	HB 416	Adkins	Create tax incentive tier for industries investing \$100,000+ in energy efficiency investments for small and medium sized industries previously ineligible
Utilities	HB 418	King	Allow for collection of local 911 fees from VoIP; set uses of locally collected fees; provide for collection of fees on prepaid cell service
Utilities	HB 437	Harris	Include public utilities contractors under Open Records requirements for public agencies that derive 25% of their funds from government
Utilities	SB 196	McGarvey	Net metering: specify that electricity production may only offset energy consumption in the same period in which electricity was produced; more

Utilities	SB 202	Higdon	Establish a prepaid wireless service charge for emergency services; details
Veterans	HB 358	Coursey	Establish morale, welfare and recreation facilities on Department of Military Affairs property, for use by current and former members of KY National Guard
Veterans	HB 378	Collins	Exempt from motor vehicle usage tax member of the military assigned to duty in the Commonwealth who purchases a vehicle from a Kentucky dealer
Veterans	HB 411	Moore	Add Air Force and Coast Guard members to list of service members exempt from various fees
Veterans	HB 468	Richards	Require bodies that certify or license professionals to expedite the evaluation and acceptance of military training and experience
Veterans	HJR 139	Tilley	Urge the Department of Defense and the United States Army to reconsider proposed cuts to Fort Knox and Fort Campbell
Veterans	SR 128	Westerfield	Urge the Department of Defense and the United States Army to reconsider proposed cuts to Fort Knox and Fort Campbell

From	SB	135	To	SB	209
	SR	107		SR	138
	HB	353		HB	472
	HR	111		HR	148