

## 2016 General Assembly

### New Bills of Interest: The Last Batch

#### *February 29 through Filing Deadlines*

This table shows selected new bills filed in the 2016 General Assembly during its ninth week. The list is organized by topics, as follows:

<a href="#">Access to Justice</a>	<a href="#">Education</a>	<a href="#">Immigration</a>
<a href="#">Budget</a>	<a href="#">Employment</a>	<a href="#">Taxes</a>
<a href="#">Civil Rights</a>	<a href="#">Environment</a>	<a href="#">Transportation</a>
<a href="#">Consumer</a>	<a href="#">Family</a>	<a href="#">Utilities</a>
<a href="#">Corrections</a>	<a href="#">Government</a>	<a href="#">Veterans and Military</a>
<a href="#">Criminal</a>	<a href="#">Health</a>	
<a href="#">Economic Development</a>	<a href="#">Housing</a>	

**How to use:** To jump to a topic, click on its link 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](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="#">HB 554</a>	Decesare	"Health care liability action"; require claimant to prove by expert testimony the recognized standard of acceptable professional practice; more
Access	<a href="#">SB 241</a>	Schroder	Extend civil statute of limitations for actions for damages for illness or injury suffered as a result of sexual abuse or sexual assault to five years
Access	<a href="#">SB 254</a>	Neal	Require AOC to collect and report data on the race, ethnicity, and sex of members of juries
Access	<a href="#">SB 267</a>	Neal	Increase juror pay to \$15 per day and expense allowance to \$25 per day
Access	<a href="#">SB 276</a>	Givens	Require that opinions of KY Supreme Court be made available to the public without cost online
Budget	<a href="#">HB 597</a>	Rudy	Establish Public Employee Benefit Reserve Trust Fund; require 3/5ths vote in House and Senate to distribute funds
Civil Rights	<a href="#">HB 531</a>	Collins	Allow concealed deadly weapons to be carried without a license under certain conditions; require

			posted notices where carrying is prohibited
Civil Rights	<a href="#">HB 571</a>	Fischer	Constitutional amendment: define marriage as only a matrimony between 1 man and 1 women
Civil Rights	<a href="#">HB 602</a>	Meeks	Require % of minority citizens appointed to boards by consolidated local government to at least equal % in Council or community
Civil Rights	<a href="#">SB 257</a>	Robinson	Allow concealed deadly weapons to be carried without a license under certain conditions; require posted notices where carrying is prohibited
Civil Rights	<a href="#">SB 270</a>	Westerfield	Require reporting of statistics re disproportionate minority contact with juvenile justice, social welfare, and education discipline systems
Civil Rights	<a href="#">SB 299</a>	Stivers	Constitutional amendment: allow persons convicted of felonies the right to vote as provided by General Assembly (exception for violent or sex offense) more
Consumer	<a href="#">HB 528</a>	King	Require pawnbrokers to record daily transaction information on an online service accessible to law enforcement agencies
Consumer	<a href="#">HB 558</a>	Kay	Define unlawful collection practices; create cause of action (greater of actual damages or \$200); provide for punitive damages, attorney's fees; 1 year SOL
Consumer	<a href="#">HB 583</a>	York	Require AG to post on public website a list of charities that fail to meet financial accountability standards recommended by CharityWatch
Consumer	<a href="#">HB 588</a>	Meyer	Require equipment rental companies to collect 1.5% property tax recovery fee from customers and use fees to pay companies' tangible personal property tax
Consumer	<a href="#">SB 261</a>	Carpenter	Allow insurance company or motor vehicle dealer to obtain salvage title within 30 days of paying claim and proper notice/request for title transfer to owner
Consumer	<a href="#">SB 269</a>	Clark	Exempt persons engaged in natural hair braiding from cosmetology licensing requirement
Consumer	<a href="#">SB 281</a>	Harris	Prohibit use of drone for harassment, voyeurism, or burglary; prohibit law enforcement from using drone to gather evidence; exclude any evidence so obtained
Corrections	<a href="#">HB 575</a>	Sinnette	Sex offender registration: prohibit offender registrant 18 years of age or older from having the same residence as a minor; exception; more
Corrections	<a href="#">HB 606</a>	Bell	Regulate procedures for seizure and forfeiture of property for felony controlled substance offenses; details
Corrections	<a href="#">HB 607</a>	Bell	Limit criminal forfeitures of property to felony offenses; require confirmation hearing; change distribution scheme (most funds to General Fund)

Corrections	<a href="#">SB 283</a>	Schroder	Move Class B felony offenders from mandatory reentry supervision program into post-incarceration supervision program
Corrections	<a href="#">SB 284</a>	Schroder	Add possession of child pornography to the crimes which require a five-year term of post-incarceration supervision
Corrections	<a href="#">SB 294</a>	Westerfield	Expand expungement and sealing of juvenile records except for records related to violent offender or sex offender status
Corrections	<a href="#">SB 302</a>	McGarvey	DUI housekeeping: revise requirements re license revocation for refusal to undergo breath test and eligibility for ignition interlock license; more
Criminal	<a href="#">HB 532</a>	Riner	Suspend or deny a license to carry a concealed deadly weapon to person reported by licensed psychiatrist to law enforcement agency as making an actual threat
Criminal	<a href="#">HB 544</a>	Bell	Create enhancement mechanism for assault offenses for intentional, wanton or reckless acts that cause injury
Criminal	<a href="#">HB 552</a>	Benvenuti	Gang Violence Prevention Act: define criminal gang recruitment in 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> degree; define "criminal gang syndicate;" penalties; penalty enhancements
Criminal	<a href="#">HB 631</a>	Moore	Include creating a situation which could be mistaken for a riot in the crime of inciting to riot
Criminal	<a href="#">SB 259</a>	D. Carroll	Allow peace officers to arrest for specified misdemeanor offenses; add elements to offense of providing false identifying information
Criminal	<a href="#">SB 292</a>	Neal	Require racial impact statements for each bill or amendment that creates a new crime or modifies the penalty for an existing crime; more
Econ Dev	<a href="#">HB 535</a>	Sinnette	Extend time for company with approved economic revitalization project under KY Industrial Revitalization Act to undertake supplemental projects
Econ Dev	<a href="#">HB 610</a>	Denham	Establish tax credit for insurance companies that contribute to rural growth funds that make investments in small businesses
Econ Dev	<a href="#">SB 262</a>	Clark	Allow industrial hemp farming as permissible under federal law; details
Education	<a href="#">HB 534</a>	Coursey	Require local boards of education to develop procedures for daily recitation of Pledge of Allegiance; permit students to be silent
Education	<a href="#">HB 537</a>	Richards	Authorize Council on Post 2ndary Ed to enter into reciprocity agreement to allow institution in another state to provide distance education to KY residents
Education	<a href="#">HB 539</a>	Miller	Require alternate assignment or accommodation if

			public school student has no home access to Internet to complete original assignment
Education	<a href="#">HB 541</a>	Glenn	Exempt a school district's local effort from SEEK calculation if more than 60% of the real property located in district is exempt from taxation
Education	<a href="#">HB 543</a>	Flood	Include KY School for the Blind and KY School for the Deaf in the school construction funding program; details; EMERGENCY
Education	<a href="#">HB 550</a>	Coursey	Identify requirements of Division of Military Affairs, resident school districts and nonresident school districts re National Guard ChalleNGe academies
Education	<a href="#">HB 553</a>	Bechler	Prohibit statewide implementation of English and math Common Core Standards; specify process for creation of new standards; allow local variation
Education	<a href="#">HB 555</a>	Decesare	Allow Kentucky residents attending out-of-state high schools in states bordering Kentucky to earn KEES awards
Education	<a href="#">HB 567</a>	Carney	Include Education Professional Standards Board within Department of Education: details
Education	<a href="#">HB 589</a>	Montell	Charter schools: establish KY Public Charter School Commission; establish charter school pilot project and identify charter school authorizers; details
Education	<a href="#">HB 591</a>	Riner	Establish Commonwealth Student Volunteer Program to incentivize student volunteerism; ensure that public high school students receive appropriate credit
Education	<a href="#">HB 620</a>	Wuchner	Allow Individualized Education Accounts for students with disability; specify allowable uses, including payment of tuition for nonpublic school
Education	<a href="#">HB 626</a>	Stumbo	Work Ready Kentucky Scholarship Program: provide tuition assistance for participation in KCTCS programs for all qualifying resident students
Education	<a href="#">SB 243</a>	Westerfield	Authorize participation in public school interscholastic extracurricular activity by private school student if private school does not offer activity
Education	<a href="#">SB 253</a>	Wilson	Charter schools: establish KY Public Charter School Commission; establish charter school pilot project and identify charter school authorizers; details
Education	<a href="#">SB 256</a>	McGarvey	Allow high school student participating in U.S. military basic training to be considered present for all purposes for up to ten days
Education	<a href="#">SB 273</a>	Wilson	Allow Individualized Education Accounts for students with disability; specify allowable uses, including payment of tuition for nonpublic school
Education	<a href="#">SB 278</a>	Webb	Establish elective social studies course in Hebrew Scriptures, Old Testament and New Testament; more

Employment	<a href="#">HB 525</a>	Nelson	Require Transportation Secretary to development a procedure to ensure fairness and equality of pay in classified service positions in every county
Employment	<a href="#">HB 526</a>	Meredith	Increase from \$3K to \$4K the annual supplement paid from Kentucky Law Enforcement Foundation Program fund to police and firefighters; more
Employment	<a href="#">HB 564</a>	Decesare	Specify that "misconduct" under UI does not include saying "Merry Christmas;" make businesses immune from civil liability for having Christmas displays
Employment	<a href="#">HB 570</a>	Benvenuti	Include legislative security specialists under state merit system; increase number of years that certain classes of troopers may renew 1 year terms
Employment	<a href="#">HB 577</a>	Belcher	Prohibit youth camps from employing or allowing the involvement of any individual convicted of a criminal offense against a minor or a sex crime
Employment	<a href="#">HB 587</a>	Westrom	Create Workforce Innovation Board pursuant to federal Workforce Opportunity and Innovation Act; set forth definitions, board membership; more
Employment	<a href="#">HB 609</a>	Harris	Allow Department of Parks to appoint peace officers to enforce rules and regs of Breaks Interstate Parks Commission; details re pay and training
Employment	<a href="#">HB 617</a>	Marzian	Require employers to provide earned paid sick leave to employees after 90 days of employment; set forth when and how paid sick time can be used
Employment	<a href="#">HB 618</a>	Kay	Clarify that a board of education must comply with ADA and HIPAA in placing a teacher or superintendent on leave due to disability
Employment	<a href="#">HB 622</a>	Overly	Establish minimum fees for jockeys in thoroughbred racing
Employment	<a href="#">HB 627</a>	Kay	Require employers of 50 or more workers to provide six weeks of paid leave for maternity leave; allow an employee to waive the paid maternity leave; details
Employment	<a href="#">HCR 185</a>	Nelson	Establish KY Workers' Compensation Task Force to study workers' comp system and develop consensus recommendations; provide for membership
Employment	<a href="#">SB 260</a>	Stivers	Prohibit Governor from appointing an ALJ or workers' comp board member if term expires before term of position begins; details
Employment	<a href="#">SB 274</a>	Givens	Licensing statutes: remove undefined phrase "moral turpitude" and replace with "sexual misconduct or a crime where dishonesty is a necessary element"
Employment	<a href="#">SB 286</a>	Jones	Allow Department of Parks to appoint peace officers to enforce rules and regs of Breaks Interstate Parks Commission; details re pay and training

Employment	<a href="#">SB 297</a>	Girdler	Eliminate inspections by state coal mine inspectors; EMERGENCY
Employment	<a href="#">SB 298</a>	Stivers	Allow expungement of certain Class D felonies, charges on which the grand jury has not issued an indictment, and multiple misdemeanors; more
Employment	<a href="#">SB 301</a>	Neal	Re-entry: allow a felony record to be expunged under specified circumstances; consider passage of time since offense in licensure decisions; more
Employment	<a href="#">SB 303</a>	Jones	Allow a person with five years of coal mining experience preference in state hiring; retrain dislocated coal workers in energy-efficient jobs
Environment	<a href="#">HB 529</a>	Rand	Establish 11-member KY Water Resources Board; set initial appointments; identify role and function of board in developing water resource policy
Environment	<a href="#">HB 551</a>	Mills	Establish KY pipeline safety fund and assessment; specify distribution of funds; establish a pipeline spill response plan program; details
Environment	<a href="#">HB 563</a>	Howard	Clarify that solid wastes from oil and gas drilling operations that contain low-level radioactive wastes are included in prohibited imports; more
Family	<a href="#">HB 538</a>	Belcher	Require investigation of child abuse or neglect allegedly committed by a child; provide continuity of benefits if child removed from Cabinet custody
Family	<a href="#">HB 572</a>	Fischer	Define and establish the legal parameters of the new civil institution of matrimony (preamble declares freedom from Supreme Court opinions); details
Family	<a href="#">SB 282</a>	McGarvey	Require 12-hour hold prior to release on bail for domestic or dating violence and sexual assault perpetrators if assessment indicates a risk to victim
Government	<a href="#">HB 548</a>	Kay	Require group making communications expenditures greater than \$3K during an election to follow candidates' reporting schedule
Government	<a href="#">HB 559</a>	Kay	Establish Legislative Advisory Reapportionment and Redistricting Commission
Government	<a href="#">HB 574</a>	Sinnette	Require state agencies to compute time in a standardized way, similar to rule of civil procedure
Government	<a href="#">HB 586</a>	Westrom	Establish process for review by AG before an area development district can enter into an agreement or distribute grant funds to related entities
Government	<a href="#">HB 608</a>	Overly	Executive Branch Ethics: Require public servants to report suspected violations under protection of whistleblower statute; require financial disclosures
Government	<a href="#">SB 244</a>	Schroder	Constitutional amendment: permit the General

			Assembly to disapprove administrative regulations of the executive branch between regular sessions
Government	<a href="#">SB 255</a>	Neal	Allow in-person voting for any reason in the clerk's office or other approved location at least 12 days before an election
Health	<a href="#">HB 5</a>	Owens	Require the Cabinet for Health and Family Services to operate a state healthcare exchange that is substantially similar to kynect
Health	<a href="#">HB 6</a>	Owens	Require the secretary of the Cabinet for Health and Family Services to expand the Medicaid program; limit cost-sharing
Health	<a href="#">HB 527</a>	Burch	Clarify that administrative activities in a restricted distribution pharmacy, such as billing and collections, do not constitute practice of pharmacy
Health	<a href="#">HB 549</a>	Stumbo	Family caregivers: establish process to designate lay caregiver to be contacted upon discharge from a hospital; details
Health	<a href="#">HB 562</a>	Richards	Remove home medical equipment and service providers from authority of Board of Pharmacy and place under CHFS; details
Health	<a href="#">HB 578</a>	Webber	Create KY Board of Midwifery; provide for licensure and requirements regarding practice of midwifery; details
Health	<a href="#">HB 584</a>	Butler	Require the Department for Public Health (DPH) to operate a medical marijuana program; details
Health	<a href="#">HB 612</a>	Upchurch	Prohibit sale to minors of products marketed for use in conjunction with tobacco products, alternative nicotine products, and vapor products
Health	<a href="#">HB 629</a>	Overly	Require all health plans, rather than large plans, to provide services for autism spectrum disorders; require Web page with info on how to file claims
Health	<a href="#">HR 202</a>	Yonts	Recognize 50th anniversary of creation of Community Mental Health – Mental Retardation Centers System of Care in Kentucky
Health	<a href="#">SB 247</a>	McDaniel	Establish KY Genomic Science Fund Program to provide funding to companies for research and development in genomic research and medicine
Health	<a href="#">SB 251</a>	Adams	Require medical examiner to release ID info and postmortem exam results to procurement organization if body is suitable for transplantation
Health	<a href="#">SB 258</a>	D. Carroll	Require AOC to forward drug conviction data to CHFS for inclusion in KASPER electronic monitoring system
Health	<a href="#">SB 263</a>	Clark	Medical marijuana: establish a comprehensive system for medical cannabis, including provisions for

			medical verification of need; more
Health	<a href="#">SB 268</a>	Buford	Require insurers to offer a percentage of health benefit plans with lower copayment and coinsurance on prescription drugs
Health	<a href="#">SB 285</a>	Buford	Air ambulance services: require reporting; prescribe uses and disclosure of average costs; remove specific charges from Open Records Act requirements; more
Health	<a href="#">SB 291</a>	Adams	Require Medicaid and health plan coverage for FDA-approved tobacco cessation services with A or B rating from U.S. Preventive Services Task Force
Health	<a href="#">SB 304</a>	McGarvey	Establish Implementation Task Force on Palliative and Hospice Use of Medical Marijuana, require Task Force to prepare legislation for General Assembly
Health	<a href="#">SR 165</a>	Westerfield	Recognize 50th anniversary of creation of Community Mental Health – Mental Retardation Centers System of Care in Kentucky
Housing	<a href="#">HB 542</a>	Kay	KY affordable housing tax credit: apply to income and insurance taxes; cap at higher of 50% of federal credits awarded on qualified projects or \$5,250,000
Housing	<a href="#">HB 615</a>	Greer	Include limited liability partnerships and limited liability limited partnerships as entities forbidden from improperly influencing a real estate appraisal
Immigration	<a href="#">HB 523</a>	St. Onge	Require local governments and agencies to permit sharing of citizenship and immigration information as required by law; prohibit local ordinances to contrary
Immigration	<a href="#">SB 245</a>	Harris	Driver’s license and ID housekeeping: set out processes for citizens and permanent residents; for immigrants, require verification through SAVE; more
Taxes	<a href="#">HB 546</a>	Sinnette	Apply the transient room tax only to stays of 30 days or less
Taxes	<a href="#">HB 576</a>	Palumbo	Property tax: clarify the requirements that must be met for property to be classified as agricultural or horticultural property
Taxes	<a href="#">HB 604</a>	Denham	Establish heritage barn income tax credit for barns over 50 years old; set credit at lesser of 20% of rehabilitation costs or \$100,000
Taxes	<a href="#">SB 252</a>	Hornback	Exempt from sales and use tax textile linens purchased by an accredited healthcare laundry or for-profit healthcare provider; sunset in 2020
Taxes	<a href="#">SB 280</a>	Carpenter	Exempt certain commercial mining-related entities from county license and occupation tax
Transportation	<a href="#">HB 536</a>	Riggs	Award rebates to commercial or governmental entities that purchase, lease, or convert vehicles in their fleet to burn natural gas fuels



Transportation	<a href="#">HB 560</a>	Collins	Allow Transportation Cabinet to identify by regulation individuals who must submit to a skills test prior to being issued an operator's license
Transportation	<a href="#">HB 595</a>	Overly	Allow Transportation Cabinet to identify by regulation individuals who must submit to a skills test prior to being issued an operator's license
Transportation	<a href="#">SB 265</a>	Thayer	Allow Transportation Cabinet to identify by regulation individuals who must submit to a skills test prior to being issued an operator's license
Transportation	<a href="#">SB 287</a>	Adams	Allow Transportation Cabinet to identify by regulation individuals who must submit to a skills test prior to being issued an operator's license
Transportation	<a href="#">SB 290</a>	Buford	Motor vehicle accidents: require an obligor, when denying or reducing medical expenses, to base denial or reduction on a peer review
Transportation	<a href="#">SB 300</a>	Higdon	Require that expiration date of a disabled parking placard is indicated on the placard by a month and year hole-punch system
Utilities	<a href="#">HB 585</a>	King	Update 911 services (“next generation”); require VoIP providers to collect 911 fees; deposit postpaid wireless service charges into CMRS fund; more
Utilities	<a href="#">HJR 186</a>	Adkins	Direct PSC to require retail electric service providers to provide a rate for public primary and secondary schools subject to KY Energy Efficiency Program
Veterans	<a href="#">HB 547</a>	Meredith	Change requirements for special military license plates for veterans and veterans’ widows