

2018 General Assembly

New Bills of Interest

January 2 through January 5

This table shows selected new bills filed in the 2018 General Assembly during the first week of the Session. The list 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 4	Wuchner	Make peer review and credentialing confidential and not subject to discovery, subpoena or introduction into evidence in malpractice action
Access	HB 43	Nemes	Create election process to retain appointed appellate judges (following ratification of constitutional amendment authorizing appointments by Governor)
Access	HB 44	Nemes	Constitutional amendment: allow Governor to appoint Supreme Court justices and Court of Appeals judges; details
Access	HB 49	Nemes	Expand personal jurisdiction over nonresidents
Access	HB 131	McCoy	Guardianship competency: clarify when a respondent's presence at hearing may be waived; allow a bench trial when the parties agree; details
Access	SB 2	Alvarado	Constitutional amendment: allow General Assembly to limit damages for injuries to persons or property; set uniform SOL for actions for death or injury
Access	SB 20	Alvarado	Allow hospitals to charge record fees to non-patients;

			limit attorneys' fees in malpractice; create "affidavit of merit" as alternative to medical review panel
Access	SB 49	Wuchner	Make peer review and credentialing confidential and not subject to discovery, subpoena or introduction into evidence in malpractice action
Access	SB 87	Seum	Increase jury duty pay and expenses from \$12.50 to \$25 per day; increase pay and expenses for grand jurors and petit jurors from \$19 to \$50 per day
Budget	HB 57	King	Prohibit legislative pay for a special session called by the Governor because the General Assembly adjourned without passing a state budget
Budget	HB 72	King	Require roll call votes on any state fiscal measure, including an appropriation or revenue-raising measure
Budget	HJR 8	Huff	ConCon: call convention of the states limited to proposing amendments to Constitution that impose fiscal restraints, limit powers of federal government
Budget	HJR 12	Huff	ConCon: call convention of the states limited to proposing amendments to Constitution that impose fiscal restraints, limit powers of federal government
Civil Rights	HB 36	Morgan	Allow concealed deadly weapons to be carried without a license in same locations as concealed carry license holders may carry them
Civil Rights	HB 40	Huff	Designating the last Wednesday in September of each year as A Day of Prayer for Kentucky's Students
Civil Rights	HB 53	Morgan	Run 'em down bill: abolish criminal or civil liability for driver who causes injury or death to a person during a public demonstration with no permit; details
Civil Rights	HB 54	Morgan	Memorial Preservation Act: create standards for preservation; establish petition process to remove, relocate, or disturb certain significant properties
Civil Rights	HB 66	Scott	Establish an Officer Shooting Review Board to investigate any shooting by a law enforcement officer or officers; details
Civil Rights	SB 14	Thomas	Allow in-person early voting on the three Saturdays preceding election; extend voting hours for election day voting from 6 p.m. to 8 p.m.
Civil Rights	SB 21	Smith	Require LRC to provide sign language interpretation in each chamber of General Assembly
Civil Rights	SB 47	Adams	Extend voting hours to 6 a.m., prevailing time, to 8 p.m., prevailing time
Consumer	HB 22	St. Onge	Drones: allow recreational and educational use; limit use in police search; class B misdemeanor penalty for

			unauthorized use
Consumer	HB 46	Fischer	Allow requests for security freezes and replacement identification or password to be made by any method allowed by agency; remove 7-year expiration; details
Consumer	HB 56	Tipton	Require Department of Education to develop and implement financial literacy program; require program completion for high school graduation
Consumer	HB 59	Watkins	Prohibit marketing, sharing, or selling of cell phone numbers without express written consent; set penalty between \$1,000 and \$10,000 for each violation
Consumer	HB 63	King	Prohibit use of caller ID to transmit misleading or inaccurate caller identification information with intent to defraud or cause harm to a person
Consumer	HB 74	King	Require pawnbroker to have internet-based register including amount of loan, name, driver's license or SSN; require 12-day hold of 2nd hand goods
Consumer	HB 93	Elliott	Require investment advisors and broker-dealers to report suspected exploitation of senior or disabled person to CHFS and DFI; provide immunity
Consumer	HB 132	DuPlessis	Make financial literacy course high school graduation requirement; direct Kentucky Board of Education to establish academic standards and curricula for course
Consumer	SB 11	McGarvey	Prohibit telecom or ISP from collecting personally identifiable information from customer without customer's express written approval
Consumer	SB 32	Parrett	Require Department of Education to develop and implement financial literacy program; require program completion for high school graduation
Consumer	SB 33	McGarvey	Allow free security freeze if person notified of security breach; require reporting agency to encrypt data; remove 7-year expiration on freeze; more
Consumer	SB 45	Meredith	Eliminate the 6-hour, in-person continuing education requirement for funeral directors and embalmers
Consumer	SB 57	Wise	Allow person injured by terrorist act to file claim for damages up to 3 times actual damages or \$50,000, plus costs and attorney's fees; create new crime
Corrections	HB 60	Watkins	Sentence offenders with three or more Class A, B or capital felony convictions to life without possibility of parole
Corrections	HB 61	Watkins	Make attempted murder of peace officer or firefighter an offense for which at least 85 percent of sentence must be served; details
Corrections	HB 62	Watkins	Lower sentences and require drug treatment and community service for certain drug crimes; details

Corrections	HB 70	Fischer	Prohibit sex offender registrants from using electronic communications to solicit, contact, or gather information about a person less than 18
Corrections	HB 92	York	Allow jail canteen profits to be used for the enhancement of jail safety and security
Corrections	HB 116	Mills	Jail community service: remove "nonreligious sponsored" from the definition of "community-service-related project"
Corrections	HR 13	Scott	Encourage the efforts of the criminal justice system to divert drug offenders to treatment
Corrections	SB 37	Harris	Require Transportation Cabinet to allow issuance of operator's licenses to federal and state inmates engaged in work release or reentry programs
Corrections	SB 54	Neal	Abolish death penalty; replace it with life without parole for inmates presently sentenced to death; prohibit probation; details
Criminal	HB 71	St. Onge	Prohibit the distribution of sexually explicit images without consent; penalties
Criminal	HB 83	Scott	Establish gross misdemeanors as a new category of misdemeanor offense; details
Criminal	HB 101	Petrie	Declare 16 or 17 year-olds incapable of consent when actor is 28 years-old or older; declare sex with 16 or 17 year-olds rape in the third degree
Criminal	HB 102	Lee	Allow peace officer to issue citation for probable cause to believe a misdemeanor was committed outside of his or her presence; more
Criminal	HB 110	DuPlessis	Expand "exploitation" to include obtaining or using controlled substances prescribed to vulnerable adult or member of household; Class C felony for violation
Criminal	HB 120	McCoy	Prohibit the distribution of any material that portrays child pornography or a sexual performance by a minor
Criminal	HB 126	Scott	Raise threshold level to \$1500 for various Class D felonies, including misrepresentation to receive public assistance or unemployment benefits; more
Criminal	HB 152	Wuchner	Require commercial drivers to complete training to identify human trafficking
Criminal	SB 3	Westerfield	Constitutional amendment: create a crime victims' bill of rights, including right to timely notice and to be heard in any proceeding involving a release; more
Criminal	SB 19	D. Carroll	Increase penalties for sex crimes against victims with

			intellectual disabilities
Criminal	SB 30	Westerfield	Crime Victims' Bill of Rights: change statutory definition of "victim"; require that restitution to victim be made when possible; details
Criminal	SB 46	Adams	Make female genital mutilation a Class A felony; require CHFS to create educational materials; require reporting
Econ Dev	HB 114	Rowland	Require a portion of TVA in-lieu-of-tax revenue to be distributed to agencies designated by counties that have TVA property in them
Econ Dev	SB 9	Humphries	Require a portion of TVA in-lieu-of-tax revenue to be distributed to agencies designated by counties that have TVA property in them
Education	HB 39	Scott	Ban the box in school: prohibit public postsecondary schools from inquiring about a prospective student's criminal history prior to admission; details
Education	HB 55	Tipton	Require K-12 physical and health education instruction in drug abuse prevention and on the connection between drug abuse and addiction
Education	HB 80	Burch	Require BOE to publish regs on human sexuality education; set minimum instructional requirements for grades 4-12; include prevention of STDs
Education	HB 99	Lee	Authorize participation in a public school interscholastic extracurricular activity by a home-schooled student; details
Education	HB 108	Reed	School employees: remove aunt, uncle, son-in-law, and daughter-in-law from the definition of "relative" for purposes of employment
Education	HB 109	Reed	Local boards of ed: exclude persons holding any elective federal, state, county, or city office
Education	HB 118	McCoy	Clarify that compulsory school attendance age is from six to eighteen
Education	HB 128	Carney	Require every public school to provide instruction on the Holocaust and other acts of genocide
Education	HB 134	Carney	Establish income tax credit for private school tuition assistance based on contributions made to a qualified scholarship-granting organization
Education	HB 141	Carney	Emergency revolving school loan fund: provide for loans to districts with significant revenue shortfalls due to circumstances beyond district's control
Education	HB 142	Carney	School funds: require chief state school officer to prepare estimates for school district fund allotment

			and set incremental schedule for disbursement
Education	HB 143	Bentley	Require Department of Education to establish a School Safety and Crisis Line
Education	HB 147	Hart	Require KY Board of Education to promulgate administrative regulations regarding contents and development of seizure action plans; details
Education	SB 36	Alvarado	Establish income tax credit for private school tuition assistance based on contributions made to a qualified scholarship-granting organization
Education	SB 55	Schickel	School boards and councils: alter principal hiring process to selection by superintendent or designee after consultation with school council; more
Education	SJR 52	Carroll	Direct KY Department of Education to collaborate with UK to implement Kentucky Peer Support Network Project in public schools
Employment	HB 24	Donohue	Require two-person crews on trains or light engines used in movement of freight; establish civil penalties for failure to have a two-person crew
Employment	HB 28	Brown	Ban the box: prohibit employers from considering or requiring disclosure of prior criminal history as part of the initial job application
Employment	HB 32	Donohue	Increase minimum death benefits payable for surviving spouse if member died as a result of an act occurring in the line of duty; details
Employment	HB 48	Mills	Allow members of General Assembly to make a one-time irrevocable election to not participate in the Legislators' Retirement Plan or KRS; details
Employment	HB 50	Nemes	Occupational licensing: set forth requirements for regulations; require agencies to review regulations under their jurisdiction every five years; details
Employment	HB 51	Nemes	Permit Legislators' Retirement Plan members to opt out of the traditional defined benefit plan and join hybrid cash balance plan; details
Employment	HB 65	Elliott	Close Legislators' Retirement Plan effective August 1, 2018; provide that legislators shall participate in Kentucky Employees Retirement System
Employment	HB 67	Wells	UI: exempt seasonal/on recall employees from the waiting week and reemployment requirements; details
Employment	HB 68	Fleming	Require Department of Criminal Justice Training to provide a law enforcement professional development and wellness program; details
Employment	HB 100	Bechler	HVAC: reduce experience requirements for master and journeyman status; permit a master HVAC contractor to represent more than one firm; more

Employment	HB 105	Reed	Remove the term limits for appointed and elected trustees of the Kentucky Teachers' Retirement System
Employment	HB 127	Nelson	Remove marriage as a disqualifying event for a widow or widower receiving survivor's benefits from Teachers' Retirement System; details
Employment	HB 133	Tipton	Exempt drivers of vehicles transporting agricultural commodities from federal hours requirements during the planting and harvesting season
Employment	HCR 6	Imes	Urge Congress to amend Title II of Social Security Act to repeal Government Pension Offset provision
Employment	HR 11	Prunty	Urge Congress to amend Title II of the Social Security Act to repeal Government Pension Offset Provision and Windfall Elimination Provision
Employment	SB 17	Thomas	Minimum wage: raise in annual increments to \$15 per hour on 7/1/25; raise minimum tipped wage; allow local governments to set higher local minimum
Employment	SB 27	Girdler	Allow new legislators to make one-time irrevocable election to not participate in Legislators' Retirement Plan or KERS; more
Employment	SB 28	Girdler	Close Legislators' Retirement Plan to new members effective 8/1/18; prohibit current legislators from participating after same date; details
Employment	SB 35	Schickel	Include employees of amusement and recreational facilities open no more than 7 months a year in exemptions to wages and hour requirements
Employment	SB 38	Kerr	Pregnant workers bill: include in "reasonable accommodation" accommodations made for pregnancy, childbirth, and related medical conditions
Employment	SB 44	McDaniel	Provide that state and county retirees reemployed by a county police department will continue to receive retirement benefits; details
Environment	SB 42	Webb	Drones: prohibit use of unmanned aircraft systems to track, hunt, or harvest wildlife or to conduct surveillance of persons hunting, trapping, or fishing
Family	HB 5	Elliott	Guardianship: retain the right to a jury trial in a guardianship competency hearing if demanded by or on behalf of any party; more
Family	HB 25	Burch	Require local law enforcement agencies, state agencies, officers of Commonwealth and County Attorneys' offices to report suspected child abuse
Family	HB 123	Prunty	Create a "Break the Silence" special license plate; fees to KCADV to support programs for survivors of domestic violence
Family	HJR 33	Elliott	Create a pilot Working Interdisciplinary Networks of

			Guardianship Stakeholders project to examine how Kentucky's adult guardianship is working
Family	SB 31	Parrett	Permanently establish kinship care program
Family	SB 39	Kerr	Permit KY Board of Education to establish age appropriate education program on how to identify and report signs of child abuse
Family	SB 43	Westerfield	Adoption: redefine the time when voluntary a consent to adoption becomes irrevocable; remove waiting period to file a petition for adoption; more
Family	SB 48	Adams	Prohibit individuals under 17 from marrying; establish process for 17- year old to petition a court for permission to marry; details
Family	SB 68	McGarvey	Clarify that victim of domestic violence is not required to pay legal fees for abusive spouse for divorce when spouse is incarcerated
Government	HB 9	Fleming	Make it ethical misconduct for a legislator to intentionally engage in harassment or sexual harassment; details
Government	HB 10	Imes	Constitutional amendment: permit General Assembly or an agency it creates to review, approve, or disapprove any administrative regulation
Government	HB 76	Moffett	Take the sense of the people of Kentucky regarding the calling of a convention to revise or amend the Constitution of Kentucky
Government	HB 78	Kay	Executive Ethics: require constitutional officers and candidates for constitutional office to file a copy of tax returns with Commission; more
Government	HB 91	Donohue	Kentucky Buy American Act: require preference in public procurement for iron, steel and manufactured goods made in Kentucky
Government	HB 125	Koenig	Establish new procedure for optional consolidation of counties; details re special election, transition
Government	HB 130	Upchurch	Require LRC staff to prepare annual report on regulations found deficient by a legislative committee; outline potential legislative options
Government	HCR 7	Brown	Urge Congress to encourage all state and local governments to participate in the Local Update of Census Addresses (LUCA) program
Health	HB 30	Huff	Require 2 hours of in person suicide prevention professional development every other year for middle and high school principals, counselors and teachers
Health	HB 31	Wayne	Prohibit the unlawful storage of a firearm

Health	HB 37	Huff	Require local boards of education to provide an annual salary supplement to qualified speech-language pathologists or audiologists
Health	HB 58	Meeks	Establish Palliative Care and Quality of Life Council; require health facilities to establish systems for identifying patients for palliative care; details
Health	HB 64	Lee	Colonel Ron Ray Veterans Traumatic Brain Injury Treatment Act: permit eligible veterans to use hyperbaric oxygen treatment; details
Health	HB 69	Fleming	Medicaid MCOs: create a single credentialing entity for DMS and contracted MCOs; establish timelines for preauthorization requests; more
Health	HB 84	Belcher	Require coroner to release identifying information and postmortem exam results to procurement organization if body parts are suitable for transplant
Health	HB 85	Wells	Eliminate requirement for certificate of need; eliminate CON board; details
Health	HB 103	Fischer	Require physicians or technician to provide a written medical description of images depicted during required ultrasounds prior to abortion
Health	HB 107	Reed	Allow students to carry and self-administer sunscreen; allow teachers voluntarily to assist with application; liability protection
Health	HB 115	Mills	Require physician to report a prescription for any drug or combination of drugs intended to end a pregnancy to the Vital Statistics Branch
Health	HB 124	Wuchner	Require review of state licensure for substance use disorder treatment and recovery programs based on nationally recognized evidence-based standards
Health	HB 135	Greer	Require medical insurer to pay allowed amount for emergency air transportation even if not in network; bar collection action against patient; details
Health	HB 139	Sims	Require a conclusive vision exam upon initial enrollment in kindergarten and a vision exam upon enrollment in grade six
Health	HB 148	Wuchner	Shift ownership of controlled substances from a deceased hospice patient to a hospice program so the hospice program may dispose of them
Health	HCR 34	Bentley	Urge federal policymakers to incorporate standards for safety and efficacy in the use of medical marijuana
Health	SB 5	Wise	Require DMS instead of MCOs to directly administer all outpatient pharmacy benefits; details

Health	SB 6	Kerr	Require pharmacist or practitioner to distribute nontoxic composition to facilitate safe deactivation and disposal of controlled substances with each Rx
Health	SB 7	Adams	Establish the KY Rare Disease Advisory Council; details re membership, reports; sunset provision
Health	SB 23	J. Carroll	Permit physician to recommend the use of cannabidiol or cannabidiol products
Health	SB 29	Meredith	Tobacco tax: establish Medicaid tobacco-related illness reimbursement fund; impose “healthcare reimbursement assessment” of \$1 a pack; more
Health	SB 51	Alvarado	Smoke free: prohibit tobacco use on school property; details
Health	SB 52	Alvarado	Establish an income tax credit for doctors who, as voluntary preceptors, administer at least three core clinical rotations for certain medical students
Health	SB 53	Meredith	Limit the number of Medicaid MCO contracts to 2; establish a process for selecting the two MCOs; specify reimbursement range for rural counties
Housing	HB 77	Moffett	Allow notice of trespass to be given through placement of purple paint marks on property; require clear written notice forbidding entry
Housing	HB 87	Moffett	Grant standing to property owner against city that annexes the area covered by owner’s property; retroactive to January 1, 2004
Housing	HB 89	Wayne	Home rule: allow city in consolidated local government to pass ordinances on noise abatement, other matters, if not in conflict with zoning plan
Housing	HB 90	Donohue	Establish refundable income tax credit for costs of mitigating noise from a commercial airport
Housing	HB 94	Keene	Establish Kentucky Uniform Real Property Transfer on Death Act
Housing	HB 95	Rothenberger	Fire department merger: allow districts to increase fees from \$.10 to \$.15 per \$100 after merger (\$.25 if district has emergency ambulance service); more
Housing	HB 138	Koenig	Allow for joint board of adjustment when multiple jurisdictions are part of one planning and zoning unit
Public Assistance	HB 35	Morgan	Create substance abuse screening program for adults on public assistance, food stamps, and medical assistance
Taxes	HB 26	Miles	Limestone processing: allow a tax credit for

			substantially identical severance or processing taxes paid to another state; details
Taxes	HB 29	Wayne	Tax reform: phase out pension exclusion; create refundable earned income credit; raise cigarette taxes; tax e-cigarettes; establish graduated income tax rates
Taxes	HB 41	Keene	Casino gaming: authorize gaming; provide for distribution of tax revenue; details
Taxes	HB 42	Keene	Constitutional amendment: authorize the General Assembly to permit casino gaming; prior to July 1, 2029, earmark proceeds to retirement systems
Taxes	HB 79	Kay	Constitutional amendment: increase homestead exemption for totally disabled veterans from current \$37,600 to full assessed value of the property; details
Taxes	SB 22	J. Carroll	Require KY Horse Racing Commission to institute a sports wagering system; tax proceeds at 20%; effective contingent upon repeal of federal law
Taxes	SB 25	Alvarado	Require increases in ad valorem taxes by special purpose governmental entities to be submitted to legislative body of locality where the entity is located
Taxes	SB 40	Kerr	Constitutional amendment: increase homestead exemption for totally disabled veterans from current \$37,600 to full assessed value of the property; details
Transportation	HB 33	Miller	Require vehicles overtaking bicycles to pass at distance of at least 3 feet; allow car to pass bicycle to the left of the center of a roadway if unobstructed
Transportation	HB 45	Santoro	Establish base fee for hybrid and electric vehicles; adjust fee with any increase or decrease in gasoline tax; collect at registration; earmark fees for road fund
Transportation	HB 52	Huff	Direct Transportation Cabinet to require bicycle helmets for operators and passengers under 12 in bicycle standards and safety regulations
Transportation	HB 81	Miller	Require clerks to issue one accessible parking placard to applicant at no cost; change placard renewal cycle from 2 years to 6 years; \$10 for duplicate or lost card
Transportation	HB 104	Meeks	Require driver's ed program to include instruction on driver's conduct during interactions with law enforcement officers; details
Transportation	HB 113	Richards	Prohibit vehicles weighing 44,001 pounds or greater from traveling in left lane on limited access highway with posted speed limit of 65 mph or greater
Transportation	HB 149	Prunty	Prohibit use of cell phone or other personal device to take, send, or view photographs or videos of accident scene while operating motor vehicle
Transportation	HCR 18	Koenig	Create the Mileage-Based Transportation Funding Task Force to study implementation of a mileage-

			based transportation funding mechanism
Transportation	SB 8	D. Carroll	Create civil immunity for damaging a vehicle if person enters it with reasonable, good-faith belief that dog or cat is in immediate danger of death
Transportation	SB 24	McGarvey	Create immunity from civil liability for damage to vehicle if person enters vehicle for purpose of removing domestic animal in imminent danger
Transportation	SB 26	Ridley	Require Transportation Cabinet to notify holders of operator's licenses 45 days prior to expiration; allow notice by electronic or postal mail; details
Transportation	SB 41	Neal	Require that driver's education program include instruction regarding driver's conduct during interactions with law enforcement officers
Utilities	HB 27	Harris	Require PSC to reconsider previously issued orders in multistate transactions requiring approval by another state's PSC if other state PSC fails to approve
Utilities	HB 34	Nelson	Prohibit electric utility from billing a basic service charge greater than 10% of amount charged for electricity usage in a billing period
Utilities	HJR 5	Harris	Direct the Public Service Commission to reexamine the electric rates charged to certain ratepayers to determine if they remain fair, just, and reasonable
Veterans	HB 111	Westrom	Allow recipients of military-related special license plates to renew plates online if veteran's status has not changed
Veterans	SB 18	Thomas	Create and administer a veteran's treatment court to provide alternative sentencing options; details