

2010 General Assembly

Master Chart: Bills of Interest

Through Friday, January 8

This table shows selected bills filed in the 2010 General Assembly. It includes bills that might affect low-income people and communities and some that simply figure prominently in this year's legislative debates. Topics include:

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

[Community Development](#)
[Education](#)
[Employment](#)
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How to use: To view the Legislative Research Commission summary of a bill and its status, click the bill number. To view the text of the bill and of amendments, click the links in the summary. For a complete list of bills filed to date, view the legislature's own excellent web page: www.lrc.ky.gov.

This chart was compiled by the Kentucky Equal Justice Center. For more information, or to share comments about a bill, contact Rich Seckel at richseckel@kyequaljustice.org. 859-233-3057.

Topic	Bill #	Sponsor	Summary
Access	HB 103	Stevens	Increase jurisdictional limit of civil actions in District Court from \$4,000 to \$10,000 and in small claims division from \$1,500 to \$5,000
Access	HB 129	Yonts	KHEAA: allow loan forgiveness tax credit if there are insufficient funds available for certain loan forgiveness programs
Access	HB 130	Belcher	Exempt from probate fees the estate of anyone who is eligible for state death gratuity benefits and the estate of any regular member of the Armed Forces
Access	HB 163	Stevens	Require KHEAA to provide up to \$3,000 per year up to \$30,000 for loan forgiveness to persons in "Best in Law" and other programs; details
Access	SB 73	Rhoads	Competency hearings: allow bench trial when parties agree, there is no objection from interested parties, and judge finds no cause to require jury trial
Budget	HB 128	DeCesare	"Taxpayer Transparency Act:" require legislature, executive branch, courts and post-2ndary schools to make public on web information about expenditures
Budget	SB 40	Thayer	"Taxpayer Transparency Act:" require legislature,

			executive branch, courts and post-2ndary schools to make public on web information about expenditures
Civil Rights	HB 17	Marzian	Constitutional amendment: repeal the definition of marriage as between a man and woman
Civil Rights	HB 117	Marzian	Prohibition discrimination based on sexual orientation and gender identity in employment, housing, more
Comm Dev	SB 76	Palmer	Adopt modern standards of prudent investment and modernize responsibilities in management of institutional funds of charitable organizations; details
Consumer	HB 55	Glenn	Credit cards on campus: require public post-2ndary schools to give new undergraduates information on credit cards and debt management; more
Consumer	HB 123	Firkins	Require consumer contracts with an automatic renewal clause to have the clause conspicuously displayed; provide for notice, enforcement by AG
Consumer	HB 132	Crimm	Allow an annuity contract that provides flexible considerations to have a separate surrender charges schedule
Consumer	HB 166	Westrom	Debt adjustment cleanup: set forth requirements for contracts; prohibit waiver of debtor's rights; provide for a private right of action for losses; more
Consumer	HB 186	Wayne	Require insurer to inform claimant of right to choose the repair facility for repair of a damaged vehicle; related provisions re appraisals
Consumer	SB 5	Tapp	Require insurer to inform claimant of right to choose the repair facility for repair of a damaged vehicle; related provisions re appraisals
Consumer	SB 39	Carroll	Require that any business that assesses a late fee against a consumer be required, when a refund is due, to make refund in the same time frame as the penalty
Consumer	SB 48	Schickel	Require consumer contracts with an automatic renewal clause to conspicuously display it in the contract; require notice of an upcoming renewal
Corrections	HB 15	Riner	Kentuckians Against Drunk Driving Act: prohibit shock probation until service of 1 year or completion of comprehensive substance abuse treatment
Corrections	HB 16	Floyd	Death penalty: eliminate where defendant is severely mentally ill
Corrections	HB 29	Simpson	Expungement: allow person convicted of Class D felony or series of Class D felonies for a single event to have felony record expunged; more; details
Corrections	HB 33	Yonts	Prohibit any privatized inmate food service in the state's prisons

Corrections	HB 34	Crenshaw	Require wardens to expunge dismissed or voided inmate disciplinary reports
Corrections	HB 45	Burch	Death penalty: abolish the death penalty; require court to sentence the person to imprisonment for life without benefit of probation or parole
Corrections	HB 60	Keene	Provide a registration system for persons convicted of murder; definitions; penalties
Corrections	HB 70	Crenshaw	Constitutional amendment: exclude convicted felon from right to vote only until expiration of probation, final discharge from parole, or expiration of sentence
Corrections	HB 161	Marzian	Prohibit law enforcement personnel responsible for detention or treatment of offenders from having sexual contact with incarcerated persons; details
Corrections	SB 17	Denton	Prohibit persons associated with a facility responsible for detention or treatment from having sexual contact with persons incarcerated, evaluated, or treated
Corrections	SB 32	Schickel	Require that certain civil actions filed by an inmate against Department of Corrections be dismissed if the inmate fails to exhaust administrative remedies; costs
Corrections	SB 37	Boswell	Provide for pre-release mental health evaluation of prisoners on psychotropic medication and 3 day supply of medication upon release
Corrections	SB 47	Schickel	Permit a county jail to charge a medical copayment fee to state prisoners using local jail medical facilities
Criminal	HB 53	Richards	Criminal Gangs I: Permit courts to enjoin criminal gang activity and criminal gang recruitment activity; permit an action for civil damages; more
Criminal	HB 64	Richards	Criminal gangs II: provide for database; permit victims to sue for treble damages or seek injunctions; create crimes of gang activity and recruitment; details
Criminal	HB 76	Denham	Include intentionally or wantonly causing physical injury by means of strangulation within the offense of assault in the second degree; definitions
Criminal	HB 116	Jenkins	Require all criminal justice system participants, certain state agencies, and the AOC to participate in the state-wide electronic warrant (e-warrant) system
Criminal	HB 127	Meeks	Expungement: require automatic expungement when person is found not guilty or charges have been dismissed at defendant's request; more
Criminal	HB 169	Jenkins	Amend crimes of cruelty to animals in the first and second degree to include all animals, not just four-legged animals

Education	HB 21	S. Lee	Charter schools: outline requirements and limitations; describe local board of education roles and responsibilities; more
Education	HB 63	S. Lee	Public school academies: outline requirements and limitations for establishment; provide for accountability to school district; more
Education	HB 77	S. Lee	Create Students with Special Needs Scholarship Program; allow student to receive scholarship to move from public school to a participating school
Education	HB 94	Meeks	Raise compulsory school age to require attendance between ages of six and eighteen, effective July 2012
Education	HB 109	Belcher	Aphasia and dyslexia: require Board of Education to promulgate regs to implement district-wide use of K-3 response-to-intervention in reading and math
Education	HB 140	Yonts	Raise compulsory school age to require attendance between ages of six and eighteen, effective July 2013
Education	HB 144	Yonts	Require university acceptance of transfer credits by students in dual enrollment programs, KCTCS, and other public colleges and universities
Education	HB 154	Rollins	Establish grant program for expanded learning time of 300 additional hours in school year; provide for planning and implementation grants
Education	HB 160	Rollins	Establish common undergrad college course credits for transfer and award of degrees; provide priority admission of associate degree grads to universities
Education	HB 176	Rollins	Persistently low-achieving schools: set forth intervention options; specify responsibilities of audit teams; more
Education	HB 190	Rollins	Strong Start Kentucky Program: create grant program to develop collaborative models of preschool education for 3-and-4 year-olds below 200% FPL
Education	SB 9	Shaughnessy	Prohibit use of ACT scores by public colleges and universities for mandatory placement of first-time students in developmental or credit-bearing courses
Education	SB 28	Westwood	Career Pathways Act: create a career and technical education accessibility fund for matching grants to local school districts; more
Education	SB 43	Kerr	Create Students with Special Needs Scholarship Program; describe the requirements for a nonpublic school to become a participating school; more
Education	SB 44	Shaughnessy	Require public colleges and universities to submit a plan to increase the number of students who graduate with a bachelor's degree within four years
Education	SB 67	Winters	Establish option for early high school graduation

			beginning in 11-12 school year; provide for unconditional admission to postsecondary schools
Education	SB 69	Winters	Provide a salary supplement, beginning in the 2010-2011 school year and thereafter to teachers of chemistry, physics, or mathematics
Employment	HB 38	Yonts	Workers comp: require use of the fifth edition of AMA guides in disability determinations
Employment	HB 122	Harmon	Wage and hour: exclude employees of nonprofit camp, religious, or nonprofit educational conference center; criteria
Employment	HB 133	Riner	Comparable worth: Prohibit wage discrimination against a person of the opposite sex who is paid less for doing a job of comparable worth
Employment	HB 185	Wayne	Public employee whistleblowers: require public employers to post a notice of public employee rights under the whistleblower statutes; more
Environment	HB 93	Meeks	Require state government agencies and state-supported institutions of higher education to report estimated waste recycled during the prior fiscal year
Environment	HB 124	Yonts	Petroleum storage: extend small operator assistance account and small operator tank removal account to July 15, 2015; related provisions
Environment	HB 175	Steele	Reclamation: declare importance of supporting pollinator habitats on reclamation sites to speed up revegetation and improve hydrologic stability
Environment	HB 221	Belcher	Establish a method for member entities to form a regional wastewater commission; exempt from regulation by the Public Service Commission; details
Environment	HJ 20	Fischer	Prohibit enforcement and enactment of restrictions on carbon dioxide emissions by all agencies and political subdivisions of state and local government
Environment	HR 24	Marzian	Endorse creation of Green Schools Caucus in support of efforts to build more energy- and water-efficient, environmentally sustainable K-12 schools
Family	HB 1	Stumbo	Amanda Ross Act: require court to assess dangerousness; permit court to order a respondent to wear or carry global monitoring system; details
Family	HB 25	Richards	DVOs: include dating partners among the class of persons allowed to obtain domestic violence protective orders
Family	HB 30	Jenkins	DVOs: include dating partners among the class of persons allowed to obtain domestic violence protective orders; enforcement
Family	HB 49	Belcher	Provide that children in temporary custody not over 45 days from removal may be in the custody of

			CHFS or other appropriate person or agency
Family	HB 73	Denham	Prohibit joint mediation, conciliation, or counseling requirements in an EPO or DVO; allow EPO to remain in effect until domestic violence hearing
Family	HB 86	Marzian	Enact the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, to govern jurisdictional questions between states
Family	HB 115	Crimm	Add promotion of a healthy relationship between the child and other custodian or parent as a factor for the consideration of awarding custody of children; more
Family	HB 135	Nelson	Require cabinet to list information required to apply for delayed birth certificate in reg; allow State Registrar to correct obvious errors on request; more
Family	HB 188	Kerr	Trusts and estates amendments: increase to \$2,500 the amount a surviving spouse may initially withdraw from estate funds prior to administration; more
Family	HB 189	J. Lee	Domestic violence: require reporting of specified criminal offenses; require basic and in-service training for law enforcement officers
Family	HB 192	Burch	Require rather than permit the Cabinet for Health and Family Services to publicly disclose information related to child fatalities
Family	HB 194	Burch	Request Supreme Court to create a pilot project for limited opening of courts in dependency, neglect, and abuse cases involving termination of parental rights
Family	HB 195	Burch	Adoption: include in definition of stepparent any non-relative adult who, with written consent of legal parent, acts in a parental role to the child; more
Family	HB 205	Jenkins	DVOs and guns: order respondent to surrender all firearms to the sheriff of the county in which the respondent resides for the duration of the DVO; more
Family	HB 222	Belcher	Amend KRS 403.135 to permit the inclusion of a minor child's name in a domestic relations proceeding
Family	SB 57	Ridley	Amend KRS 387.111 and 387.760 to adjust the rate of compensation allowed for guardians and conservators
Government	HB 101	Horlander	County ordinances: provision for suspension of requirement of the second reading and for publication in summary form
Government	HC 10	S. Lee	Demand federal government cease mandates beyond constitutionally delegated powers; prohibit federal legislation requiring state laws under threat of penalty
Government	HC 11	Crimm	Affirm principles of 9th and 10th Amendments that Constitution will be nullified if the federal government assumes powers it does not possess

Government	HC 23	Stumbo	Reauthorize the Poverty Task Force
Government	SB 25	Thayer	Require "527 committee" to report if it spends more than \$5,000 to influence selection of a candidate or a ballot question to amend the Constitution of KY
Government	SB 51	Higdon	Prevent members of the General Assembly from consolidating their accounts under various retirement systems for the purpose of determining benefits
Government	SC 22	Smith	Reauthorize the Poverty Task Force
Health	HB 37	Yonts	Allow a person to request a report on their own records generated within the electronic controlled substance reporting database; exception
Health	HB 41	L. Clark	Require agreements between managed care plans and hospitals to be for 3 years or more; provide for notice, appeals, mediation to assure continuity of care
Health	HB 48	Belcher	Deron's Law: allow dismissal for failure to provide supervision of an ICF/MR resident regardless of whether failure was "Intentional"
Health	HB 51	Belcher	Require public middle and high school administrators to disseminate suicide prevention awareness information to all students; more
Health	HB 52	Stine	Healthy Kids Act: develop reporting mechanism for schools with grades K-5 on physical activity, aggregate BMI, and wellness program data; more
Health	HB 59	Keene	Beth's bill: provide a tax credit for individuals who donate live organs in the amount of the lesser of actual expenses or \$10,000; details
Health	HB 72	Burch	Kentucky Colon Cancer Screening Program: establish program; permit income-based fees for screenings; appropriate \$1M year; \$2M second year
Health	HB 74	Tilley	Require CHFS to develop employer wellness project model and certification process for employer programs; provide for tax credits for projects
Health	HB 118	Marzian	Allow patient of a health facility 18 years of age or older to designate in writing an individual not legally related by marriage or blood to have visitation rights
Health	HB 119	Marzian	Require science-based content and age appropriate and medically accurate standards for human sexuality education, allow a parent to excuse a child; more
Health	HB 120	Napier	Create substance abuse screening program for adult recipients of public assistance, food stamps, and medicaid; denial eligibility for refusal of screen
Health	HB 126	Denham	Insurers: authorize examination of each domestic

			insurer once every five years, rather than every three years; require actuarial opinion summaries; more
Health	HB 136	Henderson	Create crime of substance endangerment of child prior to birth when use of alcohol or controlled substances results in serious physical injury; more
Health	HB 150	Richards	Require the Personnel Cabinet to establish a pilot program to improve health and wellness outcomes of state workers; reduce monthly costs for participation
Health	HB 155	Rollins	Kentucky Family Trust Program: allow family and friends to place money in trust for care of people with disabilities without affecting eligibility for benefits
Health	HB 156	Rollins	Require long-term care facility to post in a conspicuous place the star quality rating assigned to the facility by CMS Five-Star Quality Rating System
Health	HB 157	Rollins	Establish minimum staffing requirements and prohibit long-term care facilities from admitting new residents if the facility fails to comply; fines; more
Health	HB 159	Greer	Require licensure to practice applied behavior analysis; mandate insurance coverage of diagnosis and treatment of autism spectrum disorders; details
Health	HB 165	Damron	Kentucky Access: require Kentucky residency for eligibility, clarify that eligible individuals cannot be eligible for other group health coverage; more
Health	HB 179	Marzian	Nursing licensure housekeeping bill: change Advanced Registered Nurse Practitioner to Advanced Practice Registered Nurse; more
Health	HB 193	Burch	Supports for community living: require by reg an annual cost of living increase for providers of supports for community living services; more
Health	HB 198	Stevens	Permit income tax refund check-off for multiple sclerosis; establish the multiple sclerosis research and education trust fund
Health	HB 208	McKee	"Good Samaritan" apply the law to all persons rendering care without remuneration, rather than to named persons
Health	HC 19	Crimm	Urge Congress to grant licensed insurance agents and brokers the right to enroll individuals and employers under any national health insurance plan
Health	HR 25	Glenn	Urge cities of at least 25,000 citizens to include dementia training for police officers, emergency medical technicians, and firefighters
Health	SB 1	Williams	Require the secretary of CHFS to designate as a primary stroke center any acute care hospital which has received certification from JCAHO
Health	SB 7	Buford	Kentucky Life and Health Insurance Guaranty Fund: exclude Medicare Part C and Part D benefits, rework

			various coverage limits; details
Health	SB 10	Harper Angel	Childhood auditory screening: broaden definitions related to risk of becoming deaf or hard of hearing or having progressively worsening hearing
Health	SB 11	Harper Angel	Require Medicaid smoking cessation programs or treatment or pregnant smokers to be in accordance with CDC protocols and guidelines
Health	SB 12	Harper Angel	Kentucky Board of Examiners of Psychology licensing and practice housekeeping bill; increase continuing education hours for license renewal; more
Health	SB 13	Jones	Autism: require health policies to provide coverage for diagnosis and treatment of autism spectrum disorders and their related conditions; details
Health	SB 15	Jones	Autism: allow holders of personal ID cards who have been diagnosed with autism to receive a sticker identifying that condition to place on the ID card
Health	SB 18	Denton	Prohibit health benefit plan from excluding coverage for routine patient costs incurred in the course of a cancer clinical trial if otherwise covered
Health	SB 19	Schickel	Waive the application fee for pharmacy technicians who serve on a voluntary basis with a pharmacy operated by a charitable organization
Health	SB 38	Tori	Require an ultrasound prior to an abortion; specify how the phrase "individual, private setting" shall be interpreted in informed consent situations
Health	SB 65	Seum	Require principals, guidance counselors and teachers to complete a minimum of two hours of instruction in suicide prevention each school year
Health	SB 75	Tapp	Authorize advanced registered nurse practitioner prescribing controlled substances to prescribe without a collaborative agreement if requirements are met
Health	SR 9	Harper Angel	Urge the Governor to include funding for Medicaid-approved smoking cessation programs in his 2010-2012 Executive Branch budget proposal
Housing	HB 44	Damron	Mold remediation: establish basis for minimum standards; require CHFS to adopt regs; allow enforcement by Attorney General; details
Housing	HB 91	Meeks	Human remains and burial objects: prohibit excavation; provide for access to cemeteries; more
Housing	HB 92	Meeks	Establish procedures for human remains disposition agreement between Heritage Council and property owner or developer; prohibit intentional desecration
Housing	HB 98	Miller	Establish a fee not to exceed \$150 for inspection of new manufactured home installations

Housing	HB 108	Farmer	Exclude discharge of mortgage indebtedness from state income tax if exempted from federal tax under the Mortgage Forgiveness Debt Relief Act of 2007
Housing	HB 178	Fischer	Allow the state new home tax credit to apply to homes built on a taxpayer's property and modify the credit based on federal actions
Housing	HB 183	Wayne	Establish a tax credit for noise insulation installed in a residential structure that is located within a designated airport noise contour
Housing	HB 187	Wayne	Land use planning: include planning units in ethics codes; require consultation with certain entities in the preparation of comprehensive plans; more
Housing	HB 219	Osborne	Theft by deception: include the issuance of a cold check for child support, rent, or purchase of property, or for payment to an auction escrow account
Housing	SB 49	Neal	Homeless ID: establish a \$2 charge for an original, renewal, or first duplicate personal identification card issued to a person without a fixed, permanent address
Housing	SB 66	Seum	Require registration of real estate appraisal management companies; details
Juvenile	HB 57	Richards	Prohibit persons under 18 years of age from transmitting a nude image of themselves or another person under 18 years of age; details
Juvenile	HB 143	King	Prohibit persons under 18 years of age from transmitting a nude image of themselves or another person under 18 years of age; details
Taxes	HB10	Siler	Create a community rehabilitation nonrefundable tax credit for hiring legally blind or severely disabled individuals; details
Taxes	HB 13	Wayne	Progressive reform: increase rate on income over \$75K; establish refundable EITC at 15% of federal credit; include selected services in sales tax; more
Taxes	HB 46	Steele	Establish a 3-day sales and use tax holiday the first weekend in August each year for clothing, school supplies, computers, etc.
Taxes	HB 61	Farmer	Exempt gross receipts from sale of distilled spirits, wine, and malt beverages, not consumed on the premises, from sales and use tax
Taxes	HB 62	Farmer	Reduce tax rate on gross receipts from wholesale sales of malt beverages, wine, and distilled spirits to 5.5% July 1, 2010; eliminate tax July 1, 2011
Taxes	HB 78	Farmer	Tax Reform: extend sales tax to various services, and commercial rent, reduce rate to 5.5%; sunset income tax
Taxes	HB 102	Floyd	Exempt gross receipts from the sale of distilled

			spirits, wine and malt beverages, not consumed on the premises, from sales and use tax, effective 8/1/10
Taxes	HB 209	Moore	Constitutional amendment: increase the homestead exemption for property tax purposes for disabled veterans 65 or older
Taxes	SB 21	Thayer	Constitutional amendment: permit General Assembly to authorize video lottery terminals in counties with horse racing tracks with voter approval
Transportation	HB 27	Nelson	Texting while driving: prohibit text messaging while operating a motor vehicle; prohibit use cell phone use while driving by person under 18
Transportation	HB 43	Richards	Prohibit text messaging while operating a motor vehicle; provide for specific exclusions; fines
Transportation	HB 125	Collins	Specify that appeals of motor vehicle titling actions may be taken to the District Court
Transportation	SB 23	Harper Angel	Prohibit text messaging, instant messaging, and e-mailing while operating a motor vehicle; enforcement; fines
Utilities	HB 213	Adkins	Allow transmission pipeline companies to condemn for lands and materials needed to construct and maintain a carbon dioxide transmission pipelines
Utilities	SB 26	Leeper	Require that nuclear power facilities have a plan for the storage of nuclear waste rather than a means for permanent disposal; details
Veterans	SB 29	Tori	Expand state hiring preference for military service; add five or ten preference points to a military-connected individual's examination score; details
Veterans	SB 30	Tori	Provide grants for demonstrated need for members of military or their families if approved by a majority of military family assistance trust fund board; more
Veterans	SB 31	Tori	Exempt medical foster homes for veterans from certificate of need requirements
Veterans	SB 78	Tori	Allow the Department of Veterans Affairs to act as a guardian or a conservator for a disabled veteran or the minor child of a veteran