

## 2010 General Assembly

### The Watch List

*Through Friday, February 19*

This table shows a selective list bills filed in the 2010 General Assembly, including several that have moved forward in the legislative process. Topics include:

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[Civil Rights](#)

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**How to use:** To see the Legislative Research Commission summary of a bill and check its status, click the bill number. To see the text of the bill and of amendments, click the links in the summary. For a complete list of bills filed to date, view the General Assembly's own excellent web page: [www.lrc.ky.gov](http://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](mailto:richseckel@kyequaljustice.org). 859-233-3057.

Topic	Bill #	Sponsor	Summary
Access	<a href="#">HB 103</a>	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	<a href="#">HB 129</a>	Yonts	KHEAA: allow loan forgiveness tax credit if there are insufficient funds available for certain loan forgiveness programs, including "Best in Law"
Access	<a href="#">HB 163</a>	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	<a href="#">HB 365</a>	McKee	Increase jurisdictional limit of small claims division of District Court from \$1,500 to \$2,500 for both claims and counterclaims
Access	<a href="#">SB 73</a>	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
Access	<a href="#">SB 148</a>	Jensen	Regulate business of nonrecourse civil litigation funding where funds are provided to a civil litigant and repaid only out of the proceeds of the lawsuit
Budget	<a href="#">HB 290</a>	Rand	The Executive Branch Budget

Budget	<a href="#">HB 293</a>	Rand	The Judicial Branch Budget
Civil Rights	<a href="#">HB 117</a>	Marzian	Prohibition discrimination based on sexual orientation and gender identity in employment, housing, more
Comm Dev	<a href="#">HB 418</a>	Simpson	Permit Auditor of Public Accounts to examine all special districts, associations or organizations funded, in whole or in part, with federal or state moneys
Comm Dev	<a href="#">SB 76</a>	Palmer	Adopt modern standards of prudent investment and modernize responsibilities in management of institutional funds of charitable organizations; details
Consumer	<a href="#">HB 55</a>	Glenn	Credit cards on campus: require public post-2ndary schools to give new undergraduates information on credit cards and debt management; more
Consumer	<a href="#">HB 123</a>	Firkins	Require consumer contracts with an automatic renewal clause to have the clause conspicuously displayed; provide for notice, enforcement by AG
Consumer	<a href="#">HB 166</a>	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	<a href="#">HB 381</a>	Owens	Payday loans: define fees as interest; cap APR at 36%; make violation enforceable under Consumer Protection Act; prohibit practices to evade cap
Consumer	<a href="#">HB 245</a>	Bell	Prohibit "debt buyers" from engaging in unfair, false, misleading, or deceptive acts or practices; set requirements for legal complaints by them
Consumer	<a href="#">HB 264</a>	Coursey	Financial institutions: limit the \$1,000 general real or personal property exemption to federal bankruptcy proceedings; much more
Consumer	<a href="#">HB 315</a>	Santoro	Pawnshops: expand registry requirements; prohibit pawn transactions with persons unwilling or unable to provide required identification; more
Consumer	<a href="#">SB 39</a>	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	<a href="#">SB 48</a>	Schickel	Require consumer contracts with an automatic renewal clause to conspicuously display it in the contract; require notice of an upcoming renewal
Consumer	<a href="#">SB 117</a>	Buford	Banking changes: allow creditors to charge for expenses incurred for UCC filings; limit fees to guardians and conservators; more
Consumer	<a href="#">SB 123</a>	Stine	Pawnshops: expand registry requirements; prohibit pawn transactions with persons unwilling or unable

			to provide required identification; more
Corrections	<a href="#">HB 16</a>	Floyd	Death penalty: eliminate where defendant is severely mentally ill
Corrections	<a href="#">HB 29</a>	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	<a href="#">HB 45</a>	Burch	Death penalty: abolish the death penalty; require court to sentence the person to imprisonment for life without benefit of probation or parole
Corrections	<a href="#">HB 70</a>	Crenshaw	Constitutional amendment: exclude convicted felon from right to vote only until expiration of probation, final discharge from parole, or expiration of sentence
Corrections	<a href="#">HB 404</a>	Simpson	Provide that conviction of a felony sexual offense is an application for a restraining order re contact with victim, unless victim requests otherwise; more
Corrections	<a href="#">HB 428</a>	Crenshaw	Specify required documentation for issuing operators' licenses and personal identification cards to felony offenders
Corrections	<a href="#">SB 128</a>	Neal	Constitutional amendment: exclude convicted felon from right to vote only until expiration of probation, final discharge from parole, or expiration of sentence
Criminal	<a href="#">HB 76</a>	Denham	Include intentionally or wantonly causing physical injury by means of strangulation within the offense of assault in the second degree; definitions
Criminal	<a href="#">HB 116</a>	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	<a href="#">HB 127</a>	Meeks	Expungement: require automatic expungement when person is found not guilty or charges have been dismissed at defendant's request; more
Criminal	<a href="#">HB 366</a>	Palumbo	Crime victims compensation: include family member in definition of "claimant;" make denial of claims for failure to take timely steps discretionary
Criminal	<a href="#">HB 430</a>	Henderson	Create offense of alcohol or controlled substance endangerment of child prior to birth; permit court to order a toxicology test with probable cause
Criminal	<a href="#">SB 135</a>	Rhoads	Crime victims: provide each sexual assault victim seeking an examination the right to determine whether to report offense to law enforcement; more
Education	<a href="#">HB 305</a>	Jenkins	Permit the boards of the public universities and colleges to establish fees sufficient for the payment of instructional and operational expenses; details
Education	<a href="#">HB 313</a>	Henderson	Include misdemeanor records under KRS Chapter 510 relating to sexual offenses in juvenile records to be provided to schools; more

Education	<a href="#">SB 101</a>	Higdon	Permit a representative committee of faculty, staff and students to suspend or expel any student for disobedience to its rules or immoral conduct
Employment	<a href="#">HB 122</a>	Harmon	Wage and hour: exclude employees of nonprofit camp, religious, or nonprofit educational conference center; criteria
Employment	<a href="#">HB 226</a>	Moore	UI: prohibit disqualification for leaving a job to follow a military spouse who is reassigned to a duty location 100 miles or more from the worker's home
Employment	<a href="#">HB 242</a>	Floyd	UI: require repayment of benefits if employee is convicted of embezzling funds
Employment	<a href="#">HB 314</a>	S. Lee	Prohibit persons transacting business with state or local governments from hiring unauthorized aliens; allow private citizen enforcement
Employment	<a href="#">HB 321</a>	Damron	Require contractors with public agencies to use federal employment verification programs, not hire unauthorized aliens; penalties; more
Employment	<a href="#">HB 349</a>	L. Clark	UI Task Force: increase taxable wage base to \$9,000 on 1/1/12 and increase by \$300 each year to 2022; impose 1 week waiting period for benefits; more
Employment	<a href="#">HB 357</a>	Ford	Exempt employees of builders or developers who receive bonuses for sale of property from the definition of "regular employee;" more
Employment	<a href="#">HB 369</a>	Carney	Wrongful termination: provide for limited tolling of 2-year statute of limitations where an administrative hearing is held under civil rights statute
Employment	<a href="#">HB 435</a>	Floyd	Make employers who contract for services liable to employees for increased award due to safety violation of entity who contracted with the employer
Employment	<a href="#">HB 450</a>	Yonts	Add the total unemployment rate as a trigger for an extended benefit period
Employment	<a href="#">HB 466</a>	Bell	Require preference for KY contractors and vendors on state contracts; require payment of UI and income taxes during 12 months preceding bid
Employment	<a href="#">SR 153</a>	Clark	Urge the Governor and Finance and Administration Cabinet to require use of E-verify for all employers doing business with the Commonwealth
Environment	<a href="#">HB 268</a>	Gooch	Reduce by half the number of annual training hours required for the renewal of a Kentucky blaster's license; details
Environment	<a href="#">HB 416</a>	Marzian	"Stream saver bill:" require in mountain top removal that overburden be returned to mined areas to the extent possible; prohibit placement in streams; details
Environment	<a href="#">SB 139</a>	Stein	"Stream saver bill:" require in mountain top removal

			that overburden be returned to mined areas to the extent possible; prohibit placement in streams; details
Family	<a href="#">HB 1</a>	Stumbo	Amanda Ross Act: require court to assess dangerousness; permit court to order a respondent to wear or carry global monitoring system; details
Family	<a href="#">HB 25</a>	Richards	DVOs: include dating partners among the class of persons allowed to obtain domestic violence protective orders
Family	<a href="#">HB 30</a>	Jenkins	DVOs: include dating partners among the class of persons allowed to obtain domestic violence protective orders; enforcement
Family	<a href="#">HB 49</a>	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	<a href="#">HB 73</a>	Denham	Prohibit joint mediation, conciliation, or counseling requirements in an EPO or DVO; allow EPO to remain in effect until domestic violence hearing
Family	<a href="#">HB 86</a>	Marzian	Enact the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, to govern jurisdictional questions between states
Family	<a href="#">HB 115</a>	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	<a href="#">HB 189</a>	J. Lee	Domestic violence: require reporting of specified criminal offenses; require basic and in-service training for law enforcement officers
Family	<a href="#">HB 192</a>	Burch	Require rather than permit the Cabinet for Health and Family Services to publicly disclose information related to child fatalities
Family	<a href="#">HB 194</a>	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	<a href="#">HB 195</a>	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	<a href="#">HB 205</a>	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	<a href="#">HB 222</a>	Belcher	Amend KRS 403.135 to permit the inclusion of a minor child's name in a domestic relations proceeding
Family	<a href="#">HB 249</a>	Riner	Provide that intentional assault in 4 <sup>th</sup> degree of family member or member of an unmarried couple constitutes high misdemeanor, barring public office
Family	<a href="#">HB 260</a>	Burch	Child protection: require notice of right to counsel with summons, appointment of counsel no later than

			48 hours before temporary removal hearing; more
Family	<a href="#">HB 328</a>	Burch	Child protection: reduce maximum caseload from 25 to 18 active cases; establish Social Service Worker Oversight and Advisory Committee; \$1M for safety
Family	<a href="#">HB 399</a>	Owens	Paternity changes: establish that the presumption of paternity is rebuttable; permit either parent to petition the court for a parentage determination; more
Family	<a href="#">HB 406</a>	Burch	Replace interstate compact on child placement with the new Interstate Compact for the Placement of Children, effective when the 35th state ratifies
Family	<a href="#">HB 407</a>	Westrom	Request the Supreme Court to create a pilot project for a limited opening of courts in 3 to 7 jurisdictions in dependency, needy, neglect, and abuse cases; more
Family	<a href="#">HB 414</a>	Burch	Child support enforcement: delete requirement that copy of order for withholding be sent by certified mail; change provisions on data match for arrearages
Family	<a href="#">HB 463</a>	Crimm	Permit child committed to custody of state to request, no later than 12 months after attaining age 18, to extend or reinstate the commitment
Family	<a href="#">HB 464</a>	Burch	Increase the amount in a trust that is eligible for distribution upon petition of the fiduciary from \$25,000 or less to \$100,000 or less
Family	<a href="#">HC 148</a>	Jenkins	Create Task Force on Children Exposed to and Affected by Domestic Violence; require a report by December 31, 2010
Family	<a href="#">SB 109</a>	Harper Angel	Include dating partners among the class of persons allowed to obtain domestic violence protective orders
Government	<a href="#">HC 23</a>	Stumbo	Reauthorize the Poverty Task Force
Government	<a href="#">SC 22</a>	Smith	Reauthorize the Poverty Task Force
Health	<a href="#">HB 52</a>	Stine	Healthy Kids Act: develop reporting mechanism for schools with grades K-5 on physical activity, aggregate BMI, and wellness program data; more
Health	<a href="#">HB 72</a>	Burch	Kentucky Colon Cancer Screening Program: establish program; permit income-based fees for screenings; appropriate \$1M year; \$2M second year
Health	<a href="#">HB 120</a>	Napier	Create substance abuse screening program for adult recipients of public assistance, food stamps, and medicaid; denial eligibility for refusal of screen
Health	<a href="#">HB 126</a>	Denham	Insurers: authorize examination of each domestic insurer once every five years, rather than every three years; require actuarial opinion summaries; more

Health	<a href="#">HB 136</a>	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	<a href="#">HB 155</a>	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	<a href="#">HB 156</a>	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	<a href="#">HB 157</a>	Rollins	Establish minimum staffing requirements and prohibit long-term care facilities from admitting new residents if the facility fails to comply; fines; more
Health	<a href="#">HB 246</a>	Flood	Menu labeling: require chain restaurants with 20 or more locations in U.S. to provide a calorie content disclosure statement on menus and menu boards
Health	<a href="#">HB 254</a>	Fischer	Provide that no individual or business in KY shall be required to purchase health insurance coverage; allow out of state companies to offer health insurance; more
Health	<a href="#">HB 266</a>	Edmunds	Require patient filling an Rx for a Schedule II-V controlled substance to use Social Security number, driver's license number, or number on an ID card
Health	<a href="#">HB 307</a>	Moore	Prohibit General Assembly from requiring participation in any health care system or plan or imposing a fine regarding participation; details
Health	<a href="#">HB 375</a>	Watkins	Delete requirement for a premium payment for KCHIP; permit Cabinet to establish premiums by administrative regulation
Health	<a href="#">HB 411</a>	Palumbo	Create income tax refund check off for Alzheimer's research; create Alzheimer's research and education trust fund; details
Health	<a href="#">HB 415</a>	Riner	Require personal services agencies to have a policy that addresses acceptance of gifts, gratuities, and loans from clients to agencies and their employees
Health	<a href="#">HB 417</a>	Henley	Create two pilot substance abuse screening programs for recipients of public assistance
Health	<a href="#">HB 436</a>	Burch	Establish School Nurse Pilot Program to employ licensed nurses in public elementary schools; details; appropriate \$3M
Health	<a href="#">HB 443</a>	Ford	Prohibit sale of energy drinks to children under 18
Health	<a href="#">HB 444</a>	Westrom	Assisted living: expand definition of "assistance with self-administration of medication;" require certification of assisted-living community; more
Health	<a href="#">HB 459</a>	Hoover	Require Medicaid managed care partnerships to

			establish enhanced Primary Care Case Management Program to replace KenPAC program; details
Health	<a href="#">HB 460</a>	Burch	Require coverage of oral anti-cancer medication on the same basis as intravenously administered or injected cancer medications
Health	<a href="#">HB 468</a>	Butler	Recommend KDE create procedures for situations in which child with chronic health condition has a health episode that necessitates leaving classroom
Health	<a href="#">HC 19</a>	Crimm	Urge Congress to grant licensed insurance agents and brokers the right to enroll individuals and employers under any national health insurance plan
Health	<a href="#">SB 3</a>	B. Smith	Constitutional amendment: “21 <sup>st</sup> Century Bill of Rights;” provide that no law shall compel persons to participate in health care systems; more
Health	<a href="#">SB 11</a>	Harper Angel	Require Medicaid smoking cessation programs or treatment or pregnant smokers to be in accordance with CDC protocols and guidelines
Health	<a href="#">SB 13</a>	Jones	Autism: require health policies to provide coverage for diagnosis and treatment of autism spectrum disorders and their related conditions; details
Health	<a href="#">SB 86</a>	Harper Angel	Menu labeling: require chain restaurants with 20 or more locations in U.S. to provide a calorie content disclosure statement on menus and menu boards
Health	<a href="#">SB 143</a>	Boswell	Personal care homes: permit the cabinet to submit a waiver to allow Medicaid reimbursement; require standards for certification; more
Health	<a href="#">SB 154</a>	Harper Angel	Require insurers issuing large group health benefit plans in the state to provide specified coverage for acquired brain injuries
Health	<a href="#">SB 155</a>	Schickel	Health insurance: prohibit use of genetic information; require disclosure of criteria for medical necessity determinations for mental health; more
Health	<a href="#">SB 161</a>	Shaughnessy	Medicaid nonprofit HMO’s: return accumulated surplus, above the risk-based capital requirements, to Cabinet for Health and Family Services; details
Health	<a href="#">SR 9</a>	Harper Angel	Urge the Governor to include funding for Medicaid-approved smoking cessation programs in his 2010-2012 Executive Branch budget proposal
Health	<a href="#">SJ 114</a>	Forgy Kerr	Recognize link between early and optimal oral health care and education and support efforts to improve children's oral health through school-based efforts
Housing	<a href="#">HB 98</a>	Miller	Establish a fee not to exceed \$150 for inspection of new manufactured home installations
Housing	<a href="#">HB 108</a>	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	<a href="#">HB 219</a>	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	<a href="#">HB 277</a>	Kerr	Allow the replacement of a housing unit with another housing unit in a nonconforming manufactured or mobile home community
Housing	<a href="#">HB 298</a>	Simpson	Property tax delinquencies: require notice that collection by 3 <sup>rd</sup> party may include foreclosure; allow sales relating to unmined coal; more
Housing	<a href="#">HB 465</a>	Horlander	Require a creditor to register vacant residential property with local government where the property is located; penalty
Housing	<a href="#">SB 49</a>	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	<a href="#">SB 66</a>	Seum	Require registration of real estate appraisal management companies; details
Housing	<a href="#">SB 90</a>	Seum	Require certain filings to include certification that they contain no Social Security numbers; hold clerks harmless if instrument not in compliance is filed
Juvenile	<a href="#">HB 231</a>	Ji. Lee	Establish specialty residential treatment centers for juveniles under 18 at time of admission who have severe emotional disabilities; details
Juvenile	<a href="#">SB 131</a>	Harris	Restrict access to Juvenile Justice records if release would present a threat to security of a juvenile, facility, or other person; more
Taxes	<a href="#">HB 13</a>	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	<a href="#">HB 78</a>	Farmer	Tax Reform: extend sales tax to various services, and commercial rent, reduce rate to 5.5%; sunset income tax
Taxes	<a href="#">HB 299</a>	Stumbo	Slots at tracks: allow video lottery terminals at nine tracks; provide for distribution of funds, including state EITC at 2.5% of federal
Taxes	<a href="#">HB 457</a>	Coursey	Require any individual or corporation that fails to pay school taxes to pay school board's court costs and attorney's fees incurred as a result of trying to collect
Taxes	<a href="#">HC 180</a>	Fischer	Urge General Assembly, if it addresses expanded gambling, to follow the Kentucky Constitution by submitting a Constitutional amendment to the voters
Taxes	<a href="#">SB 21</a>	Thayer	Constitutional amendment: permit General Assembly to authorize video lottery terminals in counties with horse racing tracks with voter approval

Taxes	<a href="#">SB 92</a>	Worley	Slots at tracks: Authorize video lottery terminals; limit locations of venues to nine horse racing tracks as defined; details
Transportation	<a href="#">HB 409</a>	Smith	Allow overweight and overdimensional vehicle permit holders to unload cargo on a public roadway for period not to exceed 60 minutes; more
Transportation	<a href="#">SB 110</a>	Buford	Booster seats: apply requirement to children who are both under the age of 8 years and shorter than 57 inches in height
Utilities	<a href="#">HB 408</a>	Moberly	Renewable energy: set specific achievement goals for retail electric service providers and city-owned or city-controlled municipal electric providers; more
Utilities	<a href="#">HJ 141</a>	Hall	Direct study by the Public Service Commission regarding natural gas retail choice programs; details
Veterans	<a href="#">SB 78</a>	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