

2010 General Assembly

The Watch List

Through the Filing Deadline

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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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.

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, including "Best in Law"
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	HB 365	McKee	Increase jurisdictional limit of small claims division of District Court from \$1,500 to \$2,500 for both claims and counterclaims
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
Access	SB 148	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
Access	SB 215	Higdon	Prohibit a person from practicing court reporting

			unless licensed; create licensing board; transfer unused funds to assist indigent parties
Budget	HB 290	Rand	The Executive Branch Budget
Budget	HB 293	Rand	The Judicial Branch Budget
Civil Rights	HB 117	Marzian	Prohibition discrimination based on sexual orientation and gender identity in employment, housing, more
Comm Dev	HB 418	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	SB 76	Palmer	Adopt modern standards of prudent investment and modernize responsibilities in management of institutional funds of charitable organizations; details
Comm Dev	SB 227	B. Smith	Endow Kentucky: allow Governor's Office for Local Development to establish grant programs for promotion of community foundations; tax credits
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 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 381	Owens	Payday loans: define fees as interest; cap APR at 36%; make violation enforceable under Consumer Protection Act; prohibit practices to evade cap
Consumer	HB 245	Bell	Prohibit "debt buyers" from engaging in unfair, false, misleading, or deceptive acts or practices; set requirements for legal complaints by them
Consumer	HB 264	Coursey	Financial institutions: limit the \$1,000 general real or personal property exemption to federal bankruptcy proceedings; much more
Consumer	HB 315	Santoro	Pawnshops: expand registry requirements; prohibit pawn transactions with persons unwilling or unable to provide required identification; more
Consumer	HB 496	Siler	Judgment liens on real property: provide that where real property is under joint ownership, the lien shall not extend beyond the interest held by the debtor
Consumer	HB 551	Brinkman	Clarify that security interest in real property continues to exist, even after the loan is paid in its

			entirety, until mortgagor requests a release; details
Consumer	HB 574	Santoro	Allow a pawnbroker to sell an article after the expiration of 30 days rather than 60 days
Consumer	HB 581	Moore	Identity theft: create definitions; restrict uses by businesses of a consumer's Social Security number subject to exceptions; enforcement
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
Consumer	SB 117	Buford	Banking changes: allow creditors to charge for expenses incurred for UCC filings; limit fees to guardians and conservators; more
Consumer	SB 123	Stine	Pawnshops: expand registry requirements; prohibit pawn transactions with persons unwilling or unable to provide required identification; more
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 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 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 404	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	HB 428	Crenshaw	Specify required documentation for issuing operators' licenses and personal identification cards to felony offenders
Corrections	SB 128	Neal	Constitutional amendment: exclude convicted felon from right to vote only until expiration of probation, final discharge from parole, or expiration of sentence
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 366	Palumbo	Crime victims compensation: include family member in definition of "claimant;" make denial of claims for failure to take timely steps discretionary
Criminal	HB 430	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	HB 500	Sinnette	Crime victims: provide each sexual assault victim seeking an examination the right to determine whether to report offense to law enforcement; more
Criminal	SB 135	Rhoads	Crime victims: provide each sexual assault victim seeking an examination the right to determine whether to report offense to law enforcement; more
Education	HB 305	Jenkins	Permit the boards of the public universities and colleges to establish fees sufficient for the payment of instructional and operational expenses; details
Education	HB 313	Henderson	Include misdemeanor records under KRS Chapter 510 relating to sexual offenses in juvenile records to be provided to schools; more
Education	SB 101	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	HB 122	Harmon	Wage and hour: exclude employees of nonprofit camp, religious, or nonprofit educational conference center; criteria
Employment	HB 226	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	HB 242	Floyd	UI: require repayment of benefits if employee is convicted of embezzling funds
Employment	HB 314	S. Lee	Prohibit persons transacting business with state or local governments from hiring unauthorized aliens; allow private citizen enforcement
Employment	HB 321	Damron	Require contractors with public agencies to use federal employment verification programs, not hire unauthorized aliens; penalties; more
Employment	HB 349	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	HB 357	Ford	Exempt employees of builders or developers who receive bonuses for sale of property from the definition of "regular employee;" more
Employment	HB 369	Carney	Wrongful termination: provide for limited tolling of

			2-year statute of limitations where an administrative hearing is held under civil rights statute
Employment	HB 435	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	HB 450	Yonts	Add the total unemployment rate as a trigger for an extended benefit period
Employment	HB 466	Bell	Require preference for KY contractors and vendors on state contracts; require payment of UI and income taxes during 12 months preceding bid
Employment	HB 593	Decesare	Prevailing wage: raise threshold exemption for public works projects from \$250,000 to \$1,000,000; exempt projects in K to post-2ndary buildings
Employment	SR 153	Clark	Urge the Governor and Finance and Administration Cabinet to require use of E-verify for all employers doing business with the Commonwealth
Environment	HB 268	Gooch	Reduce by half the number of annual training hours required for the renewal of a Kentucky blaster's license; details
Environment	HB 416	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	SB 139	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	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 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	HB 249	Riner	Provide that intentional assault in 4 th degree of family member or member of an unmarried couple constitutes high misdemeanor, barring public office
Family	HB 260	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	HB 328	Burch	Child protection: reduce maximum caseload from 25 to 18 active cases; establish Social Service Worker Oversight and Advisory Committee; \$1M for safety
Family	HB 399	Owens	Paternity changes: establish that the presumption of paternity is rebuttable; permit either parent to petition the court for a parentage determination; more
Family	HB 406	Burch	Replace interstate compact on child placement with the new Interstate Compact for the Placement of Children, effective when the 35th state ratifies
Family	HB 407	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	HB 414	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	HB 463	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	HB 464	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	HB 512	Tilley	Provide direction for child custody issues when a service member is away on deployment, mobilization, or temporary duty
Family	HB 559	Palumbo	Child support: establish conditions for adjusting on the basis of shared parenting order; exempt children receiving public assistance; update guidelines
Family	HB 586	Moberly	Increase amount collected for spouse abuse shelter fund each month from the issuance of marriage licenses from \$10 \$15
Family	HB 596	Sims	Child support: establish conditions for adjusting on the basis of shared parenting order; require court to award custody based on objective criteria
Family	HC 148	Jenkins	Create Task Force on Children Exposed to and Affected by Domestic Violence; require a report by December 31, 2010
Family	SB 109	Harper Angel	Include dating partners among the class of persons allowed to obtain domestic violence protective orders
Family	SB 164	Rhoads	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	SB 186	Webb	Direct that income tax refunds withheld to pay child support be paid to agency within ten days; provide a method for payment to the custodial parent; details
Government	HC 23	Stumbo	Reauthorize the Poverty Task Force
Government	SC 22	Smith	Reauthorize the Poverty Task Force
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 72	Burch	Kentucky Colon Cancer Screening Program: establish program; permit income-based fees for screenings; appropriate \$1M year; \$2M second year
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 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 246	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	HB 254	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	HB 266	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	HB 307	Moore	Prohibit General Assembly from requiring participation in any health care system or plan or imposing a fine regarding participation; details
Health	HB 375	Watkins	Delete requirement for a premium payment for KCHIP; permit Cabinet to establish premiums by administrative regulation
Health	HB 411	Palumbo	Create income tax refund check off for Alzheimer's research; create Alzheimer's research and education trust fund; details
Health	HB 415	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	HB 417	Henley	Create two pilot substance abuse screening programs for recipients of public assistance
Health	HB 436	Burch	Establish School Nurse Pilot Program to employ licensed nurses in public elementary schools; details; appropriate \$3M
Health	HB 443	Ford	Prohibit sale of energy drinks to children under 18
Health	HB 444	Westrom	Assisted living: expand definition of "assistance with self-administration of medication;" require certification of assisted-living community; more
Health	HB 459	Hoover	Require Medicaid managed care partnerships to establish enhanced Primary Care Case Management Program to replace KenPAC program; details
Health	HB 460	Burch	Require coverage of oral anti-cancer medication on the same basis as intravenously administered or

			injected cancer medications
Health	HB 468	Butler	Recommend KDE create procedures for situations in which child with chronic health condition has a health episode that necessitates leaving classroom
Health	HB 469	Jenkins	Name the existing advisory council relating to the Kentucky Children's Health Insurance Program as the children's health advisory council; details
Health	HB 476	Watkins	Personal care homes: permit the cabinet to submit a waiver to allow Medicaid reimbursement; require standards for certification; more
Health	HB 518	J. Lee	DSH changes: require one of three pools to be percent allowable by federal law up to 19.08% for private psychiatric and state mental hospitals
Health	HB 520	Palumbo	Require CHFS to establish registry of persons found to have abused, neglected, or exploited an adult; prohibit health facility from hiring person on registry
Health	HB 523	Belcher	Kids fitness: require fitness test at start and end of each school year, including BMI; require physical activity, with time tiered by grade levels
Health	HB 532	Jenkins	Require CHFS to establish registry of persons found to have abused, neglected, or exploited an adult; prohibit health facility from hiring person on registry
Health	HB 556	Marzian	Advanced registered nurse practitioner: expand scope of practice; include ARNP in definition of home health aide who assists with medication; details
Health	HB 585	DeWeese	Constitutional amendment: declare that a law or rule shall not compel any person, employer or provider to participate in any health care system; details
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	SB 3	B. Smith	Constitutional amendment: "21 st Century Bill of Rights;" provide that no law shall compel persons to participate in health care systems; more
Health	SB 4	Williams	Enact the Revised Uniform Anatomical Gift Act and make consistent the provisions relating to organ donation across the states
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 13	Jones	Autism: require health policies to provide coverage for diagnosis and treatment of autism spectrum disorders and their related conditions; details
Health	SB 86	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	SB 143	Boswell	Personal care homes: permit the cabinet to submit a waiver to allow Medicaid reimbursement; require standards for certification; more
Health	SB 154	Harper Angel	Require insurers issuing large group health benefit plans in the state to provide specified coverage for acquired brain injuries
Health	SB 155	Schickel	Health insurance: prohibit use of genetic information; require disclosure of criteria for medical necessity determinations for mental health; more
Health	SB 161	Shaughnessy	Medicaid nonprofit HMO's: return accumulated surplus, above the risk-based capital requirements, to Cabinet for Health and Family Services; details
Health	SB 173	P. Clark	Establish registry of persons found to have abused, neglected, or exploited an adult; prohibit certified facility from employing person on the registry
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
Health	SJ 114	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
Health	SC 192	Williams	Create legislative task force to study cost containment strategies for Medicaid; require a report by 12/31/10; declare emergency
Health	SC 197	Stine	Hire consultant to conduct a performance audit of the Kentucky Medicaid program; report initial findings by 12/1/10 and final recommendations by 3/1/11
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 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	HB 277	Kerr	Allow the replacement of a housing unit with another housing unit in a nonconforming manufactured or mobile home community
Housing	HB 298	Simpson	Property tax delinquencies: require notice that collection by 3 rd party may include foreclosure; allow sales relating to unmined coal; more
Housing	HB 465	Horlander	Require a creditor to register vacant residential property with local government where the property is located; penalty
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
Housing	SB 90	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	HB 231	Ji. Lee	Establish specialty residential treatment centers for juveniles under 18 at time of admission who have severe emotional disabilities; details
Juvenile	HB 568	Flood	Clarify that status offenders may only be securely detained for a period of 24 hours, exclusive of weekends and holidays, before first court appearance
Juvenile	SB 131	Harris	Restrict access to Juvenile Justice records if release would present a threat to security of a juvenile, facility, or other person; more
Juvenile	SB 193	Blevins	Restrict the interview or interrogation of a minor about their suspected involvement in criminal conduct
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 78	Farmer	Tax Reform: extend sales tax to various services, and commercial rent, reduce rate to 5.5%; sunset income tax
Taxes	HB 299	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	HB 457	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	HC 180	Fischer	Urge General Assembly, if it addresses expanded gambling, to follow the Kentucky Constitution by submitting a Constitutional amendment to the voters
Taxes	SB 21	Thayer	Constitutional amendment: permit General Assembly to authorize video lottery terminals in counties with horse racing tracks with voter approval
Taxes	SB 92	Worley	Slots at tracks: Authorize video lottery terminals; limit locations of venues to nine horse racing tracks as defined; details
Transportation	HB 409	Smith	Allow overweight and overdimensional vehicle permit holders to unload cargo on a public roadway for period not to exceed 60 minutes; more
Transportation	SB 110	Buford	Booster seats: apply requirement to children who are both under the age of 8 years and shorter than 57

			inches in height
Utilities	HB 408	Moberly	Renewable energy: set specific achievement goals for retail electric service providers and city-owned or city-controlled municipal electric providers; more
Utilities	HB 562	Pullin	Renewable energy: create feed-in tariffs, set by PSC, for sources of renewable electric generation; set a standard rate for each source of renewable electricity
Utilities	HJ 141	Hall	Direct study by the Public Service Commission regarding natural gas retail choice programs; details
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
Welfare	HB 548	Nelson	Require two forms of identification, one of which must be a government-issued photo ID card, to use food stamp card