

2017 General Assembly
Consumer, Housing and Utility Bills

Bills That Passed:

Topic	Bill #	Sponsor	Summary
Housing	HB 72	Miller	Allows appellee to seek supersedeas bond in zoning appeals; bond up to \$250,000 if frivolous, up to \$100,000 if not frivolous; exception if challenging landfill
Consumer	HB 74	Mayfield	Prohibit blue lights on most motor vehicles; exemption for nonhalogen headlamps with slight blue tint that meet USDOT regulations; establish penalties for violation
Consumer	HB 144	Santoro	Slow Down to Get Around Law: require motor vehicle operators to yield right-of-way to solid waste collection service vehicles
Consumer	HB 153	Meredith	Allow insurance agent to be paid for arranging insurance premium financing if agent is not paid a bonus/advance for agreeing to place loans with that finance company
Consumer	HB 163	Rowland	Allows car dealer or insurance company to obtain title or salvage title when insurance claim is paid, storage fees unpaid for 45 days or debt owed on car more than 30 days; 30 day notice to owner
Consumer	HB 191	Rowland	Allow any insured named in auto policy, not just named insured, to reject uninsured motor vehicle coverage; exempt fraudulent claims investigator from licensure
Consumer	HB 192	Brown	Allow minor in Cabinet's custody to sign application for operator's license; requires Cabinet to provide proof of financial responsibility
Consumer	HB 208	Imes	Funeral planning: Prohibit funeral home or its employees from being designee; after 5 days attempting to contact family, funeral home with a pre-paid funeral may proceed
Consumer	HB 223	Fischer	Reduce interest rate for most civil judgments from 12% to 6% percent; for contract, judgment rate is contract rate; set judgment interest rate for unpaid child support at 12 %
Housing	HB 270	Johnson	Require filing of affidavit of severance with county clerk when manufactured home is to be removed from real estate located within the county; affidavit given to PVA
Housing	HB 284	Meredith	Require PVA inspections of improvements to real property be performed on site; extend time for taxpayer conferences and subsequent appeals up to 25 days
Consumer	HB 288	Linder	Require registration and insurance of sport utility all-terrain vehicles as motor vehicles; require helmets if no roof, window or door; limits on areas of operation
Consumer	HB 294	Miles	Require auto sellers to disclose car accident damage; raise damage threshold for reporting from \$1,000 to \$2,000; exclude wheels, tires, and glass from repair calculation

Housing	HB 309	Prunty	Allow person with domestic violence order to terminate lease with 30 days' notice; landlord may not refuse to lease due to DV order; tenant may install new locks
Consumer	HB 324	Wells	Subject third-party service providers (eg, electronic bill pay) of depository institutions to regulation and examination and fees by DFI
Consumer	HB 329	Fischer	Securities fraud: Increase class of felony charged depending on value fraud committed; Class B felony for \$1M; Class C felony for \$10,000 to \$1M; Class D for less
Consumer Economic Development	HB 330	Osborne	YUM Center bill: Allow tax increment financing pilot programs to extend beyond the current 20 years up to maximum of 45 years
Consumer	HB 395	Elliott	Reorganize Finance and Administration Cabinet; create Office of Tax Policy and Regulation and Division of Protest Resolution within Department of Revenue
Consumer	HB 404	Santoro	Allow commercial delivery personnel to use golf carts, low-speed vehicles, and utility vehicles for delivery of express mail and packages in residential areas
Consumer	HB 410	DuPlessis	Real ID: Drivers' licenses: verification through SAVE for immigrants; develop system for voluntary enhanced secure licenses, transition to 8 year licenses; more
Housing	HB 443	Mills	Create new Real Estate Authority under Public Protection; commissioner to oversee existing boards and make all regulations relating to real estate
Consumer	HB 453	Hart	Create KY Claims Commission; raise threshold to \$2500 for claim to be investigated and have hearing; shorten time to file claim from 5 to 2 years; no claims under \$250
Utilities	HJR 56	Webber	Direct Division of Water to conduct study identifying privately owned and operated small wastewater treatment plants to devise method to respond to plant failures
Consumer	SB 19	Alvarado	Require consumer reporting agency to place security freeze within 30 days on record of minor or incapacitated person on request by a representative
Consumer	SB 62	McGarvey	Exempt health savings accounts from execution, attachment, garnishment, distress, or fee bill
Consumer	SB 73	Embry	Require autocycles (3 wheel, over 40 MPH) to be titled/registered as motorcycles; allow used car dealers to sell autocycles received in trade; no head gear required
Consumer	SB 114	Girdler	Increase required minimum tort liability coverage for motor vehicle insurance arising out of property damage up to \$25,000 for policies effective 1/1/18
Consumer	SB 120	Westerfield	Prohibit imprisonment for nonpayment of fines or court costs unless the failure to pay was willful and not due to inability to pay; no court costs imposed if unable to pay

Consumer	SB 128	Hornback	Prohibits damaging roof to increase scope of repair or replacement and insurance claim; allow suit by owner for injunctive relief, actual damages and attorney's fees
Consumer	SB 176	West	Allow military vehicles purchased by civilian to be titled through Transportation on proof of insurance and inspection
Housing Utilities	SB 182	Schroeder	Allow local public agency to contract with developer when contract requires developer to increase collection capacity of sanitary sewer or storm water pipe
Utilities	SB 183	Carpenter	Confirm Governor's Executive Order reorganizing PSC; attached to Energy and Environment Cabinet; creates new consolidated divisions, abolishes others
Consumer	SB 189	Buford	Allow information in car registration system that driver may be deaf or hard of hearing; create the deaf or hard of hearing protection trust fund
Consumer	SB 224	Schroeder	Increase statute of limitations for illness or injury against an adult for sexual misconduct offenses to 5 years, 10 years for child sexual assault, 10 years if convicted

Good Bills That Did Not Pass:

Consumer	HB 53	Harris	Make Unclaimed Life Insurance Benefits Act retroactive; requires insurance companies to semi-annually compare insureds to death master file and pay claims for decedents
Housing	HB 159	Rowland	Require title insurance agents to be licensed by Dep't of Insurance; require agent to provide good-faith estimate of premium when issuing commitment for specified amount
Consumer	HB 263	Wayne	Tax reform; phase out pension exclusion; create refundable earned income credit; raise cigarette taxes; tax e-cigarettes; establish graduated income tax rates
Housing	HB 310	Jenkins	Land banks may acquire blighted or deteriorated properties; sale extinguishes taxes; land bank keeps proceeds and 50% taxes on property for 5 years after sale
Consumer	HB 320	Owens	Cap interest rate on payday loans at 36% APR; violation is a UDAP violation under Consumer Protection Act; cause of action for 2x interest paid for violations
Consumer	HB 321	Owens	Increase minimum civil penalties for payday loan violations from \$1000 to \$5000 and increase maximum civil penalties from \$5000 to \$25,000
Consumer Housing	HB 383	Nelson	Reduce pre-litigation attorney's fees that third-party purchasers of property tax certificates of delinquency are entitled to collect depending on amount paid for CD
Consumer Housing	HB 441	Sinnette	Apply the transient room tax (3 to 4%) only to stays of 30 days or less in a motor court, hotel, inn etc.

Housing	HB 510	Wayne	Make Uniform Residential Landlord and Tenant Act applicable on a statewide basis
Consumer	HCR 7	Imes	Urge the United States Congress to amend Title II of the Social Security Act to repeal the Government Pension Offset Provision
Consumer	SB 59	Westerfield	Security breach data: create civil cause of action for damages against state and local government agencies or businesses for failing to investigate and notify consumer
Consumer	SB 106	Parrett	Require a high school student to complete instruction in financial literacy and civic literacy prior to graduation
Consumer	SB 110	Harris	Allow federal prisoners who are released or on probation to obtain KY driver's license or personal ID card to participate in work release or reentry initiatives
Consumer	SB 168	Kerr	Cap interest rate on payday loans at 36% APR; violation is a UDAP violation under Consumer Protection Act; cause of action for 2x interest paid for violations
Consumer	SB 169	Kerr	Increase minimum civil penalties for payday loan violations from \$1000 to \$5000 and increase maximum civil penalties from \$5000 to \$25,000
Consumer	SB 185	Wise	Require Revenue to inform taxpayers of overpayments; commissioner authorized to abate interest caused by department error; eliminate supersedeas bond on appeal
Utilities	SB 225	Jones	Allow ratepayers to petition PSC for rehearing when electric rates increased; allow all ratepayers of utility to vote in elections for retention of PSC commissioners

Bad Bill That Did Not Pass:

Consumer	HB 447	Gooch	Son of payday loan bill: allow open-ended loans up to \$1000 with interest and fees up to 279% APR; minimum 5% of principal payments; may also have payday loans
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