

2021 General Assembly

New Bills of Interest: The Last Batch

February 22 and February 23, 2021

This table shows selected bills filed in the 2021 General Assembly during the last two days for filing bills. The list is organized by poverty law topic:

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|--------------------------------------|--------------------------------------|---------------------------------------|
| Access to Justice | Employment | Juvenile |
| Budget | Environment | Taxes |
| Civil Rights | Family | Utilities |
| Corrections | Food and Agriculture | Veterans and Military |
| Criminal | Government | |
| Economic Development | Health | |
| Education | Housing | |

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 and amendments, click the bill number.

To see details on sponsors, 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 [here](#).

This chart was compiled by advocacy staff at 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 to Justice	HB 536	Fischer	Provide that candidates Supreme Court and Court of Appeals shall be nominated in a partisan primary but elected on a nonpartisan ballot
Access to Justice	HB 552	Massey	Add a circuit judge to the Fifteenth Judicial Circuit; specify election schedule; request that new judge be designated as a Family Court judge
Access to Justice	HB 553	Massey	Private AG: establish False Claims Act with enhanced civil liability and penalties for fraud against the state; allow private citizen to bring a cause of action; details
Access to Justice	HB 569	Meade	Authorize intervention by President of the Senate and Speaker of the House in specified court actions in actions challenging constitutionality of law, reg, EO
Access to Justice	HB 571	Meredith	Make technical correction in section on rental of temporary courthouses
Access to Justice	SB 280	Southworth	Create cause of action for subcutaneous implantation of an identification device; prohibit use of facial recognition technology as evidence; more

Budget	HB 528	Gentry	Constitutional amendment: authorize General Assembly to define and regulate casino gaming; use funds for oversight and, until 2040, retirement systems
Budget	HB 531	Gentry	Omnibus gaming bill: require a local option election for casinos; use funds for retirement systems for ten years; more re fantasy contests, online poker, sports wagering
Budget	HB 534	Koenig	Insert gender-neutral language and remove outdated language in sections on state lottery board and charitable gaming
Budget	HB 554	Petrie	Make technical corrections in section on forms to be used by budget units to submit their budget estimates
Budget	HB 555	Petrie	Make technical corrections in section on lapsed funds
Budget	HB 556	Bentley	Make technical corrections in section on duration of branch budget bill
Budget	HB 565	Kirk-McCormick	Require Finance and Administration Cabinet and State Treasurer to provide public access to executive branch financial information; details
Budget	HB 594	Gentry	Omnibus gaming bill: require a local option election for casinos; use funds for retirement systems for ten years; add surtax on historical racing, advance deposit wager
Budget	SB 279	Southworth	Prevent the use of public funds in advertising
Civil Rights	HB 526	McCool	Prohibit EO or reg from substantially burdening a person's freedom of religion, right to bear arms, right to protect property, right to extract energy resources; etc.
Civil Rights	HB 539	Kirk-McCormick	Let 'em speak hate bill: establish that owner of a social media Web site is subject to private cause of action for limiting or deleting posts; damages; AG role
Civil Rights	HB 544	Gooch	Require the Department for Facilities and Support Services to place a statue of Navy diver and Kentucky native Carl Brashear in the Capitol Rotunda
Civil Rights	HB 549	Maddox	Prohibit any unit of government from requiring the registration of a firearm, limiting the sale or servicing of firearms and firearm parts; etc.; cause of action
Civil Rights	HB 582	Baker	Waive sovereign immunity in claims for equitable relief from government substantially burdening freedom of religion; attorney fees; \$10 a day damages
Civil Rights	HB 583	Prunty	Anti-cancel: prohibit social media sites from censoring religious or political speech or using algorithms to shadowban content; require notice to suspended users

Civil Rights	HB 585	Sharp	Bar state or local officials from enforcing or helping to enforce any statute, order, rule, or reg not set out in Kentucky law limiting firearms; AG role; misdemeanor
Civil Rights	HB 586	Flannery	Require runoff primary for Governor and Lt. Gov if slates receive less than 50% of the votes for that party; permit 6 days early voting; close polls at 7:00
Civil Rights	HR 67	Marzian	Support the University of Kentucky men’s basketball team for exercising their First Amendment rights
Civil Rights	HR 70	Maddox	Urge the General Assembly to oppose the adoption of a “Red Flag” law or other legislation infringing on the right to keep and bear arms
Civil Rights	HR 73	P. Stevenson	Recognizing the last day of February, the day connecting Black and Women’s History Months, in honor of Black women
Civil Rights	SB 259	Adams	Voting: address paper ballots, voting equipment, registration periods, inactive voters, early voting, online portal for mail-in ballots, drop boxes; more
Civil Rights	SB 260	Storm	Limit Governor, localities, and agencies from exercising emergency powers to substantially burden a person's freedom of religion; waive sovereign immunity; more
Civil Rights	SB 262	Neal	Permit qualified voter to vote in-person absentee during normal business hours on at least the 12 working days and two Saturdays before an election
Civil Rights	SB 269	McGarvey	Prohibit discrimination based on sexual orientation and gender identity in employment, public accommodation, housing, more; human rights commissions to enforce
Civil Rights	SB 271	McGarvey	Voting: establish online portal to apply for mail-in ballot; add desire of voter as basis to request; establish in-person early voting; close polls at 8:00; more
Civil Rights	SB 282	Neal	Constitutional amendment: allow persons convicted of certain felonies the right to vote as provided by the General Assembly
Civil Rights	SCR 104	Neal	Create Task Force on Policing to study and make recommendations on role of law enforcement and their relationship to the communities they serve
Corrections	HB 580	Timoney	Require court to consider graduated sanctions for violations of conditions of community supervision before revoking sentence of probation; details
Criminal	HB 551	Freeland	Establish remote attendance via two-way audio-video by a defendant who is in jail; specify proceedings when remote attendance is required and when permitted; more
Criminal	HB 564	Sheldon	Riot Act: enhance penalties and disallow early release for assault and riot; require 12-hour hold for certain offenses; more re disrupting meetings and processions

Criminal	HB 581	Scott	Require 911 communications pertaining to law enforcement to be open records; require agencies to release body cam footage on websites; more
Criminal	SB 263	Neal	Require officers to activate body-worn cameras during law enforcement activity; provide for release of recordings in specific circumstances; more
Criminal	SB 267	Schroder	Criminalize dissemination of personally identifying information; establish penalties; create civil cause of action; limit liability of service providers
Criminal	SB 272	Westerfield	Make language gender-neutral in section defining perjury
Criminal	SB 283	Neal	No knock: limit circumstances in which a warrant may be issued authorizing entry without notice; require body cameras; provide for release of recordings; more
Criminal	SB 286	McGarvey	No money bail: provide that no eligible defendant shall be detained on money bail; set out when a defendant may be granted release on own recognizance; details
Econ Dev	HB 587	Fleming	West End Opportunity Partnership: require minimum \$20M pledge from private sector and local government; add \$10M state match; tax increment financing; details
Econ Dev	HB 588	Fleming	West End Opportunity Partnership: establish board; establish requirements for Open Records, property tax, incremental revenues, loans, and bonds; more
Econ Dev	HB 591	Flannery	Allow facilities that produce ammunition, firearms, personal protective equipment, and over-the-counter drugs to qualify for tax incentives
Education	HB 533	Tackett-Laferty	Establish a coal-county paramedic scholarship administered by KHEAA
Education	HB 563	McCoy	Allow inclusion of nonresident pupils in a district's average daily attendance; require local board of education to adopt a nonresident student policy; details
Education	HB 579	Bojanowski	Allow parents or guardians to choose that their student not participate in statewide student assessments
Education	SB 270	McGarvey	Allow colleges or universities to offer teacher prep programs with regional or national accreditation if recognized by US Department of Education; details
Education	SB 281	Southworth	Prohibit a school district from using digital instruction services that collect, share, or use data not related to instruction; limit student screen time
Employment	HB 529	Gentry	Exclude certain levels of delta-9-tetrahydrocannabinol in blood from presumption that an injury was non-work related

Employment	HB 562	Graham	Create a method for law enforcement agencies to request disciplinary records from other agencies; require applicants to consent to disclosure of prior records
Employment	HB 568	Meade	Require that peace officers qualified for basic training credit meet minimum qualifications; allow experience and alternate training toward certification; more
Employment	HB 577	Massey	Voc rehab: set forth procedures to provide priority to blind vendors to operate vending facilities on public property
Employment	HB 593	Dossett	Provide criminal sanctions for fraudulent UI claims related to the COVID-19 pandemic; Class D felony; 1-year term, no early release; sunset
Employment	SB 258	Schickel	Remove protections against employment discrimination based on an individual's status as a smoker or nonsmoker
Employment	SB 268	Higdon	Set pre-employment requirements for bouncers; create training standards; prevent confusion on whether law enforcement officer is on or off duty; more
Employment	SB 276	Higdon	Create KY Education and Workforce Collaborative to implement policies of the KY Workforce Innovation Board; set out responsibilities of local workforce boards
Employment	SB 284	McGarvey	Set a minimum hazard wage of \$15 an hour for essential employees during emergency; apply to employers with \$1B+ revenue
Employment	SB 285	McGarvey	Allow state employees a paid leave of absence of 12 weeks for the birth or adoption of a child
Environment	HB 535	Santoro	Re-establish the Kentucky Wetland and Stream Mitigation Fund; provide for action on unsatisfied mitigation liability; details
Environment	HB 567	Meade	Exempt federally documented vessels from property taxation; establish waterway usage fee and waterway usage fund; establish KY lakes and rivers tourism fund
Environment	SB 261	Higdon	Re-establish the Kentucky Wetland and Stream Mitigation Fund; provide for action on unsatisfied mitigation liability; details
Family	HB 547	Nemes	"She's lying, Judge:" add false reporting of claims of domestic violence or abuse to the list of factors a court shall consider when making a custody determination
Family	HB 550	Massey	Insert gender-neutral language in section on the court interviewing a child to ascertain the child's wishes for custody
Food and Ag	HB 560	Kulkarni	Establish a Healthy Soils Program and fund; details; add watershed health and healthy soil practices to the purpose of soil and water conservation districts

Government	HB 527	Gentry	Constitutional amendment: limit state Senators to two consecutive 6-year terms, Representatives to three consecutive 4-year terms
Government	HB 537	Koch	Provide appeal procedures to State Treasurer by Finance and Administration if the legislative review committee recommends revision or cancellation of a contract
Government	HB 538	Frazier	Authorize Legislative Research Commission to ask AG to provide an opinion on the constitutionality of an executive order issued by POTUS; more
Government	HB 542	Blanton	Ratify Executive Order 2021-093 declaring a winter weather emergency; make its expiration date 60 days from 2/11/21
Government	HB 543	Fleming	Move the Office of Financial Management from the Finance Cabinet to the office of the State Treasurer; require approval by Treasurer for use of state aircraft
Government	HB 558	Imes	Require a candidate exempt from filing a campaign finance report to file a 30-day post-election report; more
Government	HB 566	Meredith	Require fiscal courts to initiate reapportionment proceedings in 2022 instead of 2021
Government	HB 572	Meredith	Make technical correction in section allowing state, local, and court system electronic recordkeeping
Government	HB 573	Meredith	Make technical correction in section on jailer responsibility for jail property
Government	HB 574	Decker	Omnibus voting bill: address paper ballots, voting equipment, voting systems, voter registration, mail-in and in-person absentee voting procedures; more
Government	HB 576	Rudy	Add gender-neutral language to section on state personnel board vacancies
Government	HCR 68	P. Stevenson	Declare support for admission of Washington, D.C. as a state; urge Congress to enact legislation authorizing statehood
Government	SCR 106	Southworth	Direct LRC to study the effect of administrative regulations; report by 12/1/2021
Health	HB 530	Gentry	Require private health plans, Medicaid, and the state employee health plan to cover and provide access to prosthetic and orthotic providers
Health	HB 532	Sheldon	Restrict pharmacy benefit managers from discriminating against or retroactively denying or reducing reimbursements and refunds to pharmacies; more

Health	HB 546	Bojanowski	Establish a mental health crisis hotline; appropriation
Health	HB 584	Moser	Establish voluntary non-opioid directive form to notify doctors not to prescribe an opioid drug; provide for coverage for evidenced-based nonopioid pain treatment
Health	HB 590	Bray	Require that vaccine be sent to CDC-enrolled hospital, pharmacy, or medical clinic with storage capacity, reporting ability, and sufficient preregistered patients
Health	HR 72	Reed	Express the belief that government of China made serious mistakes in the early stages of the COVID-19 outbreak that heightened the spread of the pandemic
Health	HJR 77	Osborne	Ratify emergency executive orders relating to COVID-19 and declare that they expire 60 days from the passage of the Resolution
Health	SB 273	Buford	Add a physician assistant member to the Board of Medical Licensure
Health	SB 277	Adams	Require a practitioner who prescribes an opioid to prescribe an opioid antagonist and provide education on overdose prevention and use of the opioid antagonist
Health	SB 278	Schroder	Require private entities to develop and follow retention and destruction schedule for biometric identifiers and information; prohibit trade of biometric info; more
Housing	HB 541	Prunty	Allow an income tax credit for home modification expenses equal to the actual cost of modifications, up to \$7,500 per taxpayer per year
Housing	HB 570	Meade	Limit the Governor from suspending or modifying evictions during an emergency; establish emergency rental assistance fund; allocate \$5M to fund; more
Housing	HB 595	Kulkarni	Enact the Uniform Residential Landlord and Tenant Act and apply it statewide
Housing	SB 264	West	Forbid a prohibition against evictions during an emergency
Juvenile	SB 256	Kerr	Allow court-related family accountability, intervention, and response team to refer children age 12 and younger to DCBS for assessment and services; more
Juvenile	SCR 116	Berg	Request that LRC create the Juvenile Handgun Violence Prevention Task Force to study the causes, impacts, and potential solutions to juvenile handgun violence
Taxes	HB 540	Flannery	Replace Kentucky Claims Commission with Office of Claims and Appeals (including Board of Tax Appeals, Board of Claims, Crime Victims Compensation Board)

Taxes	HB 548	Nemes	Expand severance tax to include loading or unloading limestone from another state; allow a credit for substantially identical tax paid to another state
Taxes	HB 561	Santoro	Gas tax: set a single excise tax on gasoline and special fuels with initial base rate at 34 cents per gallon; set base highway user fee for nonhybrid EVs of \$150; more
Taxes	HB 575	Fleming	Amend or repeal various targeted taxes and tax expenditures
Taxes	HCR 69	Koch	Create Pari-mutuel Wagering Taxation Task Force to study the taxes and rates related to horse-racing; report by 12/1/2021
Taxes	HCR 75	Jenkins	Direct the Legislative Research Commission to establish the Horse Industry and Gaming Taxation Working Group; report by 12/1/2021
Taxes	SB 255	Smith	Cryptocurrency mining: include cryptocurrency facilities with a minimum capital investment of \$1M in “Incentives for Energy-related Business”
Taxes	SB 265	Schickel	Treat Paycheck Protection Program loans the same as other forgiven loans for purposes of attributable deductions
Taxes	SB 274	Stivers	Establish a base revenue for license fees for counties when both the city and the county levy license fees and the city annexes territory in the county; more
Taxes	SB 275	Stivers	Allow coal severance tax refund for taxpayers who transport coal directly to a KY facility where it will be used to generate electricity; sunset
Utilities	HB 545	Gooch	Provide that members of the Electric Generation and Transmission Siting board shall only be reimbursed for actual expenses related to service on the board
Utilities	HB 559	Kulkarni	Require Energy and Environment Cabinet to set maximum PFAS chemical limits for drinking water from public systems and for discharges
Utilities	HB 589	Osborne	Wastewater: clarify how refunds are calculated on line extensions; delete imprecise language
Utilities	SB 257	Mills	Require PSC to subtract any coal severance tax when determining the reasonableness of fuel costs in contracts; define “fuel adjustment clause”
Utilities	SB 266	West	Solar NIMBY: prohibit utilities regulated by the Kentucky Public Service Commission to site a photovoltaic power stations on agricultural lands; more
Veterans	HB 578	Dotson	Prohibit the Kentucky Department of Veterans’ Affairs from charging a fee for the interment of veterans’ spouses and next of kin