Legislative Report #6 March 14,2021

Senate Bills

Senate Bill 48

Title AN ACT relating to personal information.

Summary of Original Version

Amend KRS 61.870 to define "public officer"; amend KRS 61.878 to exempt records that would reveal the address or location of a public officer under certain conditions.

Sponsor D. Carroll

Actions

• Prefiled by the sponsor(s).

introduced in Senate

01/05/21 • to Committee on Committees (S)

• to Judiciary (S)

• reported favorably, 1st reading, to Consent Calendar

• 2nd reading, to Rules

• posted for passage in the Consent Orders of the Day for Wednesday, March 3, 2021

• 3rd reading, passed 37-0

received in House

03/04/21 to Committee on Committees (H)

taken from Committee on Committees (H)

1st reading

returned to Committee on Committees (H) 03/11/21

to Judiciary (H)

posted in committee

taken from Judiciary (H)

2nd reading 03/12/21

returned to Judiciary (H)

Senate Bill 53

AN ACT relating to employment of part-time adjunct instructors for the Kentucky Fire Title

Commission.

Amend KRS 61.637 to allow a part-time adjunct instructor for the Kentucky Fire Commission, who has not participated in the Kentucky Employees

Summary of

Retirement Systems prior to retirement but is eligible to retire from the Original Version County Employees Retirement System, to retire and draw benefits without being required to resign from his or her position as part-time adjunct

instructor for the Kentucky Fire Commission.

Sponsor M. Nemes

Actions

introduced in Senate 01/05/21

to Committee on Committees (S)

to State & Local Government (S) 01/13/21

reported favorably, 1st reading, to Consent Calendar 02/24/21

2nd reading, to Rules

floor amendment (1) filed 02/25/21

posted for passage in the Regular Orders of the Day for Monday, March 1, 2021

3rd reading, passed 35-0 with floor amendment (1) 03/01/21

received in House

• to Committee on Committees (H)

taken from Committee on Committees (H)

03/05/21

- 1st reading
- returned to Committee on Committees (H)
- taken from Committee on Committees (H)
- 2nd reading

03/11/21

- returned to Committee on Committees (H)
- to State Government (H)
- posted in committee
- reported favorably, to Rules

03/12/21

• posted for passage in the Regular Orders of the Day for Monday, March 15, 2021

Senate Bill 159

Title AN ACT relating to reorganization.

Summary of Original Version Amend KRS 36.010 to reassign divisions in the Office of Management and Administration to the Office of the Adjutant General; repeal KRS 36.250, 36.255, 36.260, 36.265, and 36.270, relating to the Kentucky Community Crisis Response Board; and confirm Executive Order 2020-1035.

Sponsor A. Southworth

Actions

• introduced in Senate

02/03/21 • to Committee on Con

to Committee on Committees (S)

• to Veterans, Military Affairs, & Public Protection (S)

• reported favorably, 1st reading, to Calendar with Committee Substitute (1)

02/26/21 • 2nd reading, to Rules

floor amendment (1) filed to Committee Substitute

• posted for passage in the Regular Orders of the Day for Wednesday, March 3, 2021

• 3rd reading, passed 30-0 with Committee Substitute and floor amendment (1)

· received in House

• to Committee on Committees (H)

to Veterans, Military Affairs, & Public Protection (H)

03/05/21 • posted in committee

reported favorably, 1st reading, to Calendar

03/11/21 • floor amendment (1) filed

• 2nd reading, to Rules

Senate Bill 169

Title AN ACT relating to duty-related disability benefits.

Summary of Original Version

Amend KRS 16.582 and 61.621 to increase minimum total and permanent in line of duty or duty-related disability benefits payable to a member of any of the systems administered by the Kentucky Retirement Systems from 25% to 75% of the member's monthly average pay; amend KRS 16.505, 61.510, and 78.510 to define "monthly average pay" as it relates to total and permanent line of duty and duty-related disability benefits; amend KRS 16.505 to amend the definition of "dependent child" as it relates to total and permanent line of duty or duty-related disability; amend KRS 61.702 to ensure full hospital and medical insurance benefits for the member, spouse, and dependents of a member who has a total and permanent in line of duty or duty-related disability; provide for prospective adjustments in benefits for those eligible members who were totally and permanently disabled in line of duty or due to a duty-related injury.

Sponsor C. McDaniel

Actions

• introduced in Senate

	• to Committee on Committees (S)
02/09/21	• to State & Local Government (S)
02/25/21	 taken from State & Local Government (S) 1st reading returned to State & Local Government (S)
02/26/21	 taken from State & Local Government (S) 2nd reading returned to State & Local Government (S)
03/01/21	 reported favorably, to Rules with Committee Substitute (1) as a consent bill posted for passage in the Consent Orders of the Day for Tuesday, March 2, 2021
03/02/21	• 3rd reading, passed 36-0 with Committee Substitute (1)
03/03/21	 received in House to Committee on Committees (H)
03/05/21	 taken from Committee on Committees (H) 1st reading returned to Committee on Committees (H) to State Government (H) posted in committee

reported favorably, 2nd reading, to Rules with Committee Substitute

posted for passage in the Regular Orders of the Day for Monday, March 15, 2021

Senate Bill 222

03/11/21

03/12/21

Title AN ACT relating to first responders.

Version

Summary of Original Create a new section of KRS Chapter 518 to create the misdemeanor of unauthorized capture of photographic or videographic images by a first responder.

Sponsor J. Carpenter

02/10/21	•	introduced in Senate to Committee on Committees (S)
02/11/21	•	to Judiciary (S)
02/26/21	•	reported favorably, 1st reading, to Consent Calendar
03/01/21	•	2nd reading, to Rules
03/02/21	•	posted for passage in the Consent Orders of the Day for Wednesday, March 3, 2021
03/03/21	•	3rd reading, passed 37-0
03/04/21	•	received in House to Committee on Committees (H)
03/11/21	•	taken from Committee on Committees (H) 1st reading returned to Committee on Committees (H)
03/12/21	•	taken from Committee on Committees (H) 2nd reading returned to Committee on Committees (H)

House Bill 8

Title AN ACT relating to the Kentucky Employees Retirement System's employers, declaring an emergency, and making an appropriation therefor.

Summary of Original Version

Amend KRS 61.565 to change the Kentucky Employees Retirement System's (KERS) nonhazardous actuarially accrued liability contribution (unfunded liability payment) that is payable by employers on or after July 1, 2021, from a value that is paid as a percent of pay on each employee to a set dollar amount; provide that the set dollar amount shall be allocated to each individual employer based upon the employer's percent share of the liability as of the June 30, 2019

Sponsors J. DuPlessis, S. Heavrin, C. Massey, S. Sheldon, J. Tipton

Actions

12/10/20

- Prefiled by the sponsor(s).
- 3rd reading
- 03/05/21
- floor amendments (1) and (2) withdrawn

- passed 34-0 with Committee Substitute and floor amendment (3)
- received in House
- to Rules (H)
- posted for passage for concurrence in Senate Committee Substitute and floor

03/11/21

- House concurred in Senate Committee Substitute and floor amendment (3)
- passed 94-0
- enrolled, signed by Speaker of the House
- enrolled, signed by President of the Senate

03/12/21

delivered to Governor

Title AN ACT relating to retirement and declaring an emergency.

Summary of Original Version

Create separate retirement benefit, disability benefit, retiree health benefit, and other benefit statutes for the County Employees Retirement System (CERS) apart from the Kentucky Retirement Systems (KRS) as provided in intent

language of HB 484 during the 2020 Regular Session;

Sponsors R. Webber, S. Rudy

Action

02/04/21

- introduced in House
- to Committee on Committees (H)
- enrolled, signed by Speaker of the House
- enrolled, signed by President of the Senate

03/12/21

delivered to Governor

House Bill 44

Title AN ACT relating to mental health and making an appropriation therefor.

Original Version

Amend KRS 210.365 to make firefighters eligible for crisis intervention team training along with law enforcement officers currently permitted such training; amend KRS 95A.220 with an appropriation of \$1,250,000 each fiscal year for **Summary of** treatment of full-time and volunteer firefighters affected by post-traumatic stress injury (PTSI) and/or post-traumatic stress disorder (PTSD); provide that legitimate personnel actions are not compensable; establish the reference for definitions of PTSD and PTSI; require diagnosis by psychiatrist, psychologist, or counselor; allow certain mental health treatment benefits upon firefighter seeking treatment; APPROPRIATION.

K. Banta, K. Fleming, J. Blanton, T. Bojanowski, J. DuPlessis, M. Hart, J. Jenkins, K. King, D. Sponsors Lewis, S. Lewis, B. McCool, M. Meredith, C. Miller, J. Miller, K. Moser, J. Nemes, R. Roberts, W. Thomas, R. Webber, S. Westrom, B. Wheatley, L. Willner

09/16/20	•	Prefiled by the sponsor(s).
01/05/21	•	introduced in House to Committee on Committees (H)
01/13/21	•	to Local Government (H)
02/02/21	•	posted in committee
02/03/21	•	reported favorably, 1st reading, to Calendar with Committee Substitute
02/04/21	•	2nd reading, to Rules recommitted to Appropriations & Revenue (H) posted in committee
02/23/21	•	reported favorably, to Rules with Committee Substitute (2) and committee amendment (1-title) posted for passage in the Regular Orders of the Day for Wednesday, February 24, 2021
02/25/21	•	3rd reading, passed 97-0 with Committee Substitute (2)
02/26/21	•	received in Senate to Committee on Committees (S)
03/01/21	•	to Appropriations & Revenue (S)
03/05/21	•	taken from Appropriations & Revenue (S) 1st reading returned to Appropriations & Revenue (S)
03/11/21	•	reported favorably, 2nd reading, to Rules as a consent bill

Title AN ACT relating to actuarial reporting for the state-administered retirement systems.

Original Version

Amend KRS 6.350 to establish additional standards and requirements for the completion of the actuarial analysis required for bills pertaining to stateadministered retirement systems, including a projection of costs/savings over a 30-year period rather than 20 years, completion of the analysis in a format **Summary of** established by the Legislative Research Commission, and the addition of a summary of relevant data and information on the front page of the analysis; amend KRS 21.440, 61.670, and 161.400 to require the state-administered retirement systems to provide a projection/analysis over a 30-year period rather than a 20-year period regarding projections in the annual actuarial valuation and as it relates to experience studies, assumption changes, and other changes made by the boards of each system.

Sponsor J. Miller

Actions

Prefiled by the sponsor(s). 10/07/20 introduced in House 01/05/21 to Committee on Committees (H) to State Government (H) 02/11/21 posted in committee 02/23/21 reported favorably, 1st reading, to Calendar 02/25/21 2nd reading, to Rules 02/26/21 posted for passage in the Regular Orders of the Day for Monday, March 1, 2021 3rd reading, passed 91-0 03/01/21 received in Senate 03/02/21 to Committee on Committees (S) to State & Local Government (S) 03/03/21 03/05/21 • taken from State & Local Government (S)

- 1st reading
- returned to State & Local Government (S)

03/11/21

reported favorably, 2nd reading, to Rules as a consent bill

03/12/21

• posted for passage in the Consent Orders of the Day for Monday, March 15, 2021

House Bill 87

Title AN ACT relating to the Kentucky Retirement Systems.

Summary of Original Version

Amend KRS 16.578 and 61.640 to apply the alternate death benefit calculation options as written prior to 2009 legislation for deaths occurring prior to retirement; amend KRS 61.540 to remove requirement that the employer and member must file a statement of facts before benefit payments can commence; amend KRS 61.598 to provide that the ten percent cap on creditable compensation growth during a member's last five years of employment shall not apply to situations where the growth in excess of ten percent during the entire five-year period results in a benefit change of less than \$25 per month; provide that the implementation date of the amendments to 2017 Ky. Acts ch. 32, sec. 9(28) by the Kentucky Retirement Systems shall be December 1, 2019; provide that the amendments to KRS 16.578 and 61.640 are retroactive to JUNE 25, 2009.

Sponsors J. Decker, J. Miller

Actions

• enrolled, signed by Speaker of the House

03/12/21

• enrolled, signed by President of the Senate

delivered to Governor

Title

AN ACT relating to consolidated emergency services districts and making an appropriation therefor.

Create various sections of KRS Chapter 75 to define terms; establish procedures for the creation of a consolidated emergency services district; authorize certain local government officials to appoint 3 members to the board of trustees of the district; provide for the election of 4 members of the board of trustees, qualifications of elected members, terms, nomination procedures, and removal; establish officers of the district and compensation of officers; establish the power to levy a property tax, subject to certain restrictions; declare that upon **Summary of** of former departments or districts, former jurisdictions to be special taxing districts until indebtedness is relieved and that all previously entered into

Original Version

creation of a district, the board assumes all duties, responsibilities, and liabilities interlocal agreements shall remain in force for their duration; set requirements relating to CERS; establish procedures amend KRS 65.180 to define consolidated emergency services district as a "taxing districts"; amend KRS 75.020 to include creation of a district within the definition of merger; amend KRS 78.530 to allow for any districts, not all to be excluded from the provisions; amend KRS 95A.500 to allow the district to receive qualified shares of merged fire districts; amend KRS 134.119 to provide that the sheriff shall be compensated for collecting taxes for consolidated emergency service districts; APPROPRIATION.

Sponsors C. Massey, S. Santoro

Prefiled by the sponsor(s). 12/11/20

introduced in House

01/05/21 to Committee on Committees (H)

to Local Government (H)

02/22/21 posted in committee

reported favorably, 1st reading, to Calendar with Committee Substitute

2nd reading, to Rules

posted for passage in the Regular Orders of the Day for Friday, February 26, 2021

floor amendment (1) filed to Committee Substitute

Actions

02/24/21

02/25/21

3rd reading, passed 57-37 with Committee Substitute and floor amendment (1) 03/02/21 • received in Senate • to Committee on Committees (S) • taken from Committee on Committees (S) 03/03/21 1st reading returned to Committee on Committees (S) • to State & Local Government (S) • taken from State & Local Government (S) 03/04/21 • 2nd reading returned to State & Local Government (S) reported favorably, to Rules with Committee Substitute (1) 03/11/21 posted for passage in the Regular Orders of the Day for Friday, March 12, 2021 3rd reading, passed 27-7 with Committee Substitute (1) received in House 03/12/21 • to Rules (H)

House Bill 155

Title AN ACT relating to abandoned infants.

Summary of Original Version	Amend KRS 405.0/5 to define and allow the use of a "newborn safety device" related to the anonymous surrendering of a newborn infant in the Commonwealth at a participating staffed police station, staffed fire station, or a staffed hospital.
Sponsors	N. Tate, M. Prunty, J. Bray, J. Decker, D. Fister, C. Fugate, D. Hale, M. Hart, S. Heavrin, T. Huff, K. King, N. Kirk-McCormick, S. Lewis, M. Meredith

01/05/21	•	introduced in House to Committee on Committees (H)
02/10/21	•	to Health & Family Services (H)

02/11/21	 reassigned to Veterans, Military Affairs, & Public Protection (H)
02/22/21	posted in committee
02/24/21	reported favorably, 1st reading, to Calendar
02/25/21	 2nd reading, to Rules posted for passage in the Regular Orders of the Day for Friday, February 26, 2021
03/02/21	• 3rd reading, passed 96-0
03/03/21	 received in Senate to Committee on Committees (S)
03/04/21	• to Veterans, Military Affairs, & Public Protection (S)
03/11/21	reported favorably, 1st reading, to Consent Calendar
03/12/21	 2nd reading, to Rules posted for passage in the Consent Orders of the Day for Monday, March 15, 2021

Original

Version

AN ACT relating to appropriations measures providing funding and establishing Title conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

The State/Executive Branch Budget: Detail Part I, Operating Budget; appropriate to General Government: 2020-2021: \$2,232,159,200, 2021-2022: \$1,799,151,900; appropriate to the Economic Development Cabinet: 2020-2021: **Summary of** \$30,692,000, 2021-2022: \$32,698,000; appropriate to the Department of Education: 2020-2021: \$5,087,565,600, 2021-2022: \$5,236,333,800; appropriate to the Education and Workforce Development Cabinet: 2020-2021: \$224,230,300, 2021-2022: \$226,419,100; appropriate to the Energy and Environment Cabinet: 2020-2021: \$301,178,900, 2021-2022: \$276,053,300; appropriate to the Finance and Administration Cabinet: 2020-2021:

\$992,598,800, 2021-2022: \$1,025,343,600; appropriate to the Health and Family Services Cabinet: 2020-2021: \$16,559,398,900, 2021-2022: \$16,709,573,800; appropriate to the Justice and Public Safety Cabinet: 2020-2021: \$1,270,439,200, 2021-2022: \$1,293,490,400; appropriate to the Labor Cabinet: 2020-2021: \$1,642,204,900, 2021-2022: \$761,756,600; appropriate to the Personnel Cabinet: 2020-2021: \$63,150,200, 2021-2022: \$90,780,200; appropriate to Postsecondary Education: 2020-2021: \$8,533,377,500, 2021-2022: \$8,938,898,700; appropriate to the Public Protection Cabinet: 2020-2021: \$167,314,500, 2021-2022: \$125,746,600; appropriate to the Tourism, Arts and Heritage Cabinet: 2020-2021: \$269,047,600, 2021-2022: \$274,838,800; appropriate to the Budget Reserve Trust Fund: 2021-2022: \$100,000,000; not included in the appropriation amounts are capital project amounts as follows: 2020-2021: \$8,538,931,500, 2021-2022: \$807,761,600; detail Part II, Capital Projects Budget; detail Part III, General Provisions; detail Part IV, State Salary/Compensation, Benefit, and Employment Policy; detail Part V, Funds Transfer; detail Part VI, General Fund Budget Reduction Plan; detail Part VII, General Fund Surplus Expenditure Plan; detail Part VIII, Road Fund Budget Reduction Plan; detail Part IX, Road Fund Surplus Expenditure Plan; detail Part X, Phase I Tobacco Settlement; and detail Part XI, Executive Branch Budget Summary; APPROPRIATION.

Sponsors J. Petrie, B. Reed

Actions

01/07/21

- introduced in House
- to Committee on Committees (H)
- taken from Committee on Committees (H)
- 1st reading

01/08/21

- returned to Committee on Committees (H)
- to Appropriations & Revenue (H)
- posted in committee
- taken from Appropriations & Revenue (H)

01/09/21

- 2nd reading
- returned to Appropriations & Revenue (H)

01/11/21

- reported favorably, to Rules with Committee Substitute
- ./21 taken from Rules
 - placed in the Orders of the Day

- 3rd reading, passed 71-22 with Committee Substitute
- received in Senate
- to Committee on Committees (S)
- to Appropriations & Revenue (S)
- taken from Appropriations & Revenue (S)
- 1st reading
- returned to Appropriations & Revenue (S)
- reported favorably, 2nd reading, to Rules with Committee Substitute

01/12/21

- floor amendment (1) filed to Committee Substitute
- posted for passage in the Regular Orders of the Day for Wednesday, January 13, 2021
- 3rd reading
- floor amendment (1) withdrawn
- passed 32-0-1 with Committee Substitute
- received in House
- to Rules (H)
- taken from Rules
- placed in the Orders of the Day for concurrence or non-concurrence
- **House refused to concur in Senate Committee Substitute**

01/13/21

- received in Senate
- posted for passage for receding from Senate Committee Substitute (1)
- Senate refused to recede from Committee Substitute (1)
- **Conference Committee appointed in House and Senate**
 - Conference Committee report filed in House and Senate
 - Conference Committee report adopted in House and Senate

03/12/21

- Free Conference Committee appointed in House and Senate
- Free Conference Committee report filed in House and Senate

House Bill 258

Title AN ACT relating to the Teachers' Retirement System.

Original Version

Create new sections of KRS 161.220 to 161.716 to specify that new members of the Teachers' Retirement System on or after January 1, 2022, shall receive a Summary of foundational benefit component, which shall be a traditional defined benefit plan with risk adjustments, and a supplemental benefit component which shall be a plan based upon the member's account balance; provide that the cost of the foundational benefit for these new members shall be accessed annually in the actuarial valuation; provide that if the funding level of the foundational benefit

component for new nonuniversity or university members falls below 90%, the TRS board shall make one or more of the following changes to keep foundational benefit component employer costs within 8% of pay for nonuniversity members and 5.755% of pay for university members: utilize moneys in the stabilization reserve account from any excess contributions above costs of the new plan components for new members only, utilize prospective mandatory employee and employer contributions from the supplemental benefit component, or adjust the regular interest rate, benefit factor, age and service requirements to retire, or COLAs for new members only;

Sponsors

C. Massey, J. Miller, K. Moser, J. Tipton

Actions

introduced in House 01/12/21 to Committee on Committees (H) to State Government (H) 01/13/21 posted in committee taken from State Government (H) 02/02/21 1st reading returned to State Government (H) taken from State Government (H) 2nd reading 02/03/21 returned to State Government (H) reported favorably, to Rules taken from Rules (H) placed in the Orders of the Day 02/04/21 3rd reading, passed 68-28 received in Senate to State & Local Government (S) 02/10/21 taken from State & Local Government (S) 1st reading 03/03/21 returned to State & Local Government (S) taken from State & Local Government (S) 2nd reading 03/04/21 returned to State & Local Government (S)

Title AN ACT relating to fraud against the Kentucky Public Pensions Authority.

Original Version

knowingly submits false or fraudulent claims or fails to report or remit required money, records, or property to the Kentucky Public Pensions Authority (KPPA) in order to obtain retirement benefits from any of the retirement systems administered by the KPPA; define "person" and "knowingly" for purposes of the Act; provide civil penalties, including restitution of the payments received as a result of fraud, a penalty of as much as 3 times the amount of the excess Summary of payments, a penalty of \$500 for each false or fraudulent claim submitted, and recovery of all legal fees and costs of the investigation and enforcement of civil remedies; require that, at the request of the KPPA, the Attorney General investigate and enforce the provisions of this Act and may recover the reasonable costs of litigation as determined by the court and provided by KRS 48.005; provide that civil payments, costs, and interest be made payable to the State Treasurer and remitted to the KPPA for deposit in the affected systems' trusts consistent with the methods used to distribute administrative expenses between the trusts; provide that the remedies provided by this Act be separate from and cumulative to any other remedy available to the KPPA.

Amend KRS 61.685 to make a person liable for civil penalties if he or she

Sponsor

J. Miller

Actions

introduced in House 01/12/21

to Committee on Committees (H)

to State Government (H) 02/11/21

posted in committee 02/24/21

reported favorably, 1st reading, to Calendar 02/25/21

2nd reading, to Rules

02/26/21 posted for passage in the Regular Orders of the Day for Monday, March 1, 2021

3rd reading, passed 91-0 03/01/21

received in Senate

03/02/21 to Committee on Committees (S)

to State & Local Government (S) 03/03/21

Title AN ACT relating to special license plates and making an appropriation.

Summary of Original Version

Amend KRS 186.162, regarding special license plates, to reiterate that the county clerk's fee charged is the standard clerk's fee for vehicle registration; establish extra fees for the firefighters special license plate to benefit the Kentucky Volunteer Firefighters Association; establish extra fee for the Masonic special license plate to benefit the Masonic Homes of Kentucky; set fees for special license plates established under KRS 186.164; eliminate the requirement for a special license plate for motorcycle to have 300 signatures; amend KRS 186.040 to conform; APPROPRIATION.

Sponsor J. Calloway

1st reading

Actions		
02/04/21	•	introduced in House to Committee on Committees (H) to Transportation (H)
02/10/21	•	posted in committee
02/23/21	•	reported favorably, 1st reading, to Calendar with Committee Substitute (1)
02/24/21	•	2nd reading, to Rules posted for passage in the Regular Orders of the Day for Thursday, February 25, 2021 floor amendments (1) and (2) filed to Committee Substitute
02/25/21	•	floor amendment (3) filed to Committee Substitute
03/01/21	•	3rd reading, passed 93-0 with Committee Substitute and floor amendment (3)
03/02/21	•	received in Senate to Committee on Committees (S)
03/03/21	•	to Transportation (S)
03/05/21	•	taken from Transportation (S)

- returned to Transportation (S)
- reported favorably, 2nd reading, to Rules with Committee Substitute (1) as a consent bill

03/11/21

- posted for passage in the Consent Orders of the Day for Friday, March 12, 2021
- 3rd reading, passed 35-0 with Committee Substitute (1)

03/12/21

- received in House
- to Rules (H)