

# **General Assembly Action Regular Session 2008**

Informational Bulletin No. 226

**Legislative Research Commission**  
Frankfort, Kentucky

**May 2008**



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**A Staff Summary of Legislative Enactments**

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## Foreword

The 2008 Regular Session of the General Assembly convened Tuesday, January 8, 2008, and adjourned *sine die* Tuesday, April 15, 2008, having met for 60 legislative days. During this session, 1,030 bills and 582 resolutions were introduced, including 256 Senate bills and 774 House bills.

Of the bills introduced, 61 Senate bills and 120 House bills passed both chambers and were delivered to the Governor.

The Governor also received 11 joint and concurrent resolutions.

This informational bulletin summarizes the bills and resolutions that were delivered to the Governor. It was prepared by the staff of the Legislative Research Commission.

Robert Sherman  
Director

Legislative Research Commission  
Frankfort, Kentucky  
May 2008



## Bill Numbers to Acts Chapters

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 2	134	SB 179	115	HB 316	147	HB 552	175
SB 13	58	SB 188	187	HB 319	73	HB 577	151
SB 16	135	SB 189	121	HB 321	10	HB 579	41
SB 21	99	SB 190	17	HB 322	167	HB 583	22
SB 22	100	SB 192	120	HB 324	74	HB 590	152
SB 23	59	SB 195	69	HB 328	148	HB 594	23
SB 30	103	SB 196	70	HB 330	20	HB 605	24
SB 46	60	SB 199	55	HB 334	31	HB 606	176
SB 47	65	SB 203	116	HB 348	32	HB 607	177
SB 49	101	SB 226	56	HB 365	75	HB 608	191
SB 53	66	SB 242	117	HB 366	3	HB 609	43
SB 57	102	SB 243	57	HB 369	168	HB 610	44
SB 58	136			HB 370	129	HB 611	178
SB 64	185	SJR 9	45	HB 371	25	HB 615	130
SB 65	11	SJR 76	46	HB 373	76	HB 618	42
SB 68	61	SJR 80	64	HB 384	87	HB 625	153
SB 69	104			HB 385	82	HB 626	154
SB 75	137	HB 2	139	HB 388	33	HB 629	95
SB 76	118	HB 29	165	HB 389	77	HB 633	155
SB 83	138	HB 36	5	HB 393	88	HB 638	156
SB 86	105	HB 44	71	HB 405	21	HB 639	96
SB 90	62	HB 65	26	HB 406	127	HB 640	179
SB 92	186	HB 83	6	HB 407	122	HB 649	180
SB 93	106	HB 84	140	HB 408	128	HB 655	131
SB 95	12	HB 88	7	HB 410	123	HB 676	157
SB 96	107	HB 91	125	HB 411	34	HB 683	158
SB 98	63	HB 103	27	HB 415	126	HB 684	91
SB 100	47	HB 106	83	HB 426	84	HB 690	159
SB 118	124	HB 110	15	HB 435	35	HB 694	86
SB 120	108	HB 131	8	HB 440	169	HB 696	160
SB 125	109	HB 139	9	HB 457	89	HB 697	181
SB 127	13	HB 168	2	HB 458	36	HB 698	182
SB 129	14	HB 170	141	HB 470	78	HB 704	132
SB 131	67	HB 179	142	HB 471	93	HB 717	97
SB 132	48	HB 182	143	HB 475	170	HB 734	80
SB 135	164	HB 186	92	HB 479	79	HB 758	183
SB 136	110	HB 187	144	HB 482	90	HB 759	98
SB 146	111	HB 201	145	HB 484	37	HB 765	161
SB 149	119	HB 202	28	HB 495	85		
SB 150	49	HB 204	146	HB 506	171	HJR 6	162
SB 151	112	HB 211	72	HB 507	172	HJR 68	163
SB 155	50	HB 227	29	HB 509	173	HJR 81	188
SB 157	113	HB 233	19	HB 510	149	HJR 82	189
SB 158	51	HB 239	30	HB 514	174	HJR 83	190
SB 159	52	HB 258	18	HB 524	94	HCR 93	184
SB 167	68	HB 259	16	HB 534	38	HCR 112	1
SB 169	53	HB 277	81	HB 538	39	HJR 130	133
SB 173	54	HB 284	4	HB 540	150		
SB 174	114	HB 293	166	HB 551	40		





## Senate Bills

### SB 2

AN ACT relating to strategies to improve academic achievement and making an appropriation therefor.

Creates new sections of KRS Chapter 158 to define terms and state the General Assembly's findings relating to science, technology, engineering, and mathematics (STEM); establishes the science and mathematics advancement fund that may be used for payment of student fees for advanced placement (AP) and international baccalaureate (IB) examinations and the establishment and expansion of selected advanced science and mathematics courses, 2-year grants to high schools for start-up programs, 2-year renewable grants to middle schools for accelerated learning in science and mathematics, grants to school districts to develop and implement an energy technology engineering career track, and professional development grants to teachers; requires the Kentucky Department of Education to establish the grant programs and procedures; requires the Kentucky Board of Education to establish long-term and annual statewide goals and requires the department to develop an evaluation framework; requires the department, beginning in 2008, to submit an annual report to the Legislative Research Commission by December 1; requires at least one employee in each middle and high school to successfully complete an online coaches training program; creates a new section of KRS Chapter 161 to require the Kentucky Department of Education, in cooperation with the universities, to develop a training program for certified and classified personnel to become online coaches for students enrolled in the Kentucky Virtual High School by July 1, 2009; creates new sections of KRS Chapter 164 to require that the Council on Postsecondary Education create a STEM Initiative Task Force and specifies the entities to be represented, purposes, terms, and reporting requirements; requires the STEM Initiative Task Force to develop a strategic plan to improve STEM performance in government, business, and education; creates the Kentucky STEM Initiative fund; amends KRS 156.160 to require the Kentucky Board of Education to promulgate administrative regulations to require courses of study or educational experience in all middle and high schools to fulfill the prerequisites for AP courses in calculus, chemistry, and physics; amends KRS 156.553 and 156.555 to permit use of funds under these sections for teachers participating in Middle School Mathematics and Science Scholars Programs; amends KRS 158.007 to modify the definition of "advanced placement" or "AP"; amends KRS 158.622 to delete obsolete date references; amends KRS 158.6453 to require reporting on AP participation on school report cards; requires, if funds are available, the Kentucky Department of Education to provide an ACT test preparation program to all public high school juniors; amends KRS 160.348 to require that high school students with the required prerequisite courses shall be admitted to courses offering college credit; requires that local schools grant credit toward graduation for AP courses taken through the Kentucky Virtual High School if the student's school does not offer that AP course; requires the Kentucky Department of Education to provide information to students regarding prerequisite content necessary for success in high school courses and advanced programs; requires the department, effective with the 2008-2009 school year and thereafter, to pay for the cost of AP examinations for public school students; amends KRS 164.002 to modify the definition of "advanced placement" or "AP"; amends KRS 164.098 to delete obsolete date references; amends KRS 164.525 to require the Center for Mathematics to advise the Kentucky Department of Education and the state board in the establishment and implementation of the Middle School Mathematics and Science Scholars program; amends KRS

164.7874 to conform; amends KRS 164.7879 to provide a supplemental Kentucky Educational Excellence Scholarship (KEES) award to students who are eligible for free or reduced-price lunch based on AP examination scores; amends KRS 164.7881 to eliminate retroactively the 3-year limit on the extension of eligibility for a KEES award for a student who was unable to enroll or complete an academic term due to military service; amends KRS 164.7885 to require a school to submit AP scores to the Kentucky Higher Education Assistance Authority, unless the authority receives the scores directly from the testing service; requires a school to report a student's eligibility status for free or reduced-price lunch; provides that the KEES supplements for scores on AP and IB examinations begin with the 2008-2009 academic year; inserts references to the Gatton Academy for Mathematics and Science in Kentucky in selected sections of KRS Chapter 164 relating to KEES; and amends KRS 158.140 to permit the Gatton Academy to award high school diplomas or to award joint high school diplomas with local school districts.

**SB 13**

AN ACT relating to testimony.

Amends KRS 421.350 relating to the testimony of a child victim or witness to include violent offenses; provides that the child witness, while being exempt from attendance at trial, shall be subject to being recalled during the course of the trial to give additional testimony under the same circumstances as with any other recalled witness; and provides that the additional testimony is given using the same closed circuit or video tape procedure as for the original testimony.

**SB 16**

AN ACT relating to employees and police officers of local governments.

Amends KRS 90.220 to restrict employees in the classified service in cities of the first class from activities involving ballot initiatives during work hours and using public resources; amends KRS 67C.317 to restrict police officers covered by the merit system and probationary officers from participating in activities involving ballot initiatives while on duty, in uniform, and using public resources; and amends KRS 95.495 to allow police officers in cities of the second class to voluntarily agree to work alternative work schedules.

**SB 21**

AN ACT relating to health care.

Amends KRS 314.031 to mandate reporting to the nursing board when a nurse is suspected of abusing controlled substances, prescription medication, illegal substances, or alcohol; amends KRS 314.042 to clarify that KRS Chapter 314 does not require a nurse anesthetist to enter into any type of collaborative agreement with a physician; amends KRS 314.075 to make technical corrections; amends KRS 314.091 to include guilty pleas from pretrial diversion orders in the definition of "conviction"; adds illegal substances to the list of substances that merit potential disciplinary action by the board; amends KRS 314.109 to require notifying the board of any misdemeanor or felony criminal convictions within 90 days; deletes language that allowed the board to initiate an immediate temporary suspension of any person who fails to make this notification; and creates a new section of KRS Chapter 320 to permit optometrists and ophthalmologists to dispense ocular devices containing pharmaceutical agents if approved by the federal Food and Drug Administration.

**SB 22**

AN ACT relating to home inspector licensing.

Amends KRS 198B.700 to conform and to define “home inspector”; amends KRS 198B.702 to conform; amends KRS 198B.704 to clarify term of members of the board and to require adherence to duly adopted code of ethics; amends KRS 198B.706 to stipulate penalties the board may invoke for violations; amends KRS 198B.710 to clarify expenses that may be paid from the revolving fund; amends KRS 198B.712 to prohibit advertising as a home inspector by unlicensed persons; amends KRS 198B.722 to require late fees, if applicable, and background checks; amends KRS 198B.732 to stipulate that violators guilty of a second offense within 5 years shall be guilty of a Class A misdemeanor under KRS 534.040; amends KRS 198B.738 to prohibit home inspectors acting in their capacity as inspectors from indicating compliance with the building code; repeals KRS 198B.734 and reenacts as a new section of KRS Chapter 413; amends KRS 198B.710 and 198B.736 to conform; amends KRS 198B.716 to permit the board to accept out-of-state training programs completed by a nonresident if the training meets or exceeds the normal requirements of the board; indicates that a nonresident who completes an accepted out-of-state training program must still pass an examination prescribed or approved by the board; and repeals KRS 198B.736.

**SB 23**

AN ACT relating to the Kentucky Board of Architects.

Amends KRS 323.120 to increase the maximum penalty that the board may impose to \$10,000; amends KRS 323.210 to create an architect emeritus licensing category; permits the board to employ staff, obtain office space, and acquire supplies and services that are reasonably necessary; permits the board to assess reasonable administrative fees for copies of documents, mailing costs, and duplicate forms; amends KRS 323.400 to redefine “board” to mean the Kentucky Board of Architects; amends KRS 323.402 to stipulate that only persons certified under KRS Chapter 323 may use the term “certified interior designer”; amends KRS 323.410 to remove the grandfathering provision; amends KRS 323.990 to permit the cost of investigation and prosecution to be added to any penalties imposed under KRS Chapter 323; amends KRS 42.066 to conform; and amends KRS 323.033 to require a licensed architect or professional engineer to directly supervise the administration of construction contracts on construction by the state or its political subdivisions, exempting maintenance or facility repair and residential dwellings that fall under the Kentucky Residential Code.

**SB 30**

AN ACT relating to the Kentucky Board of Barbering.

Amends KRS 317.430 to restructure the Board of Barbering so that four of its five members are barbers holding a valid license and practicing in Kentucky and the fifth member is a citizen at large who is not associated with or financially interested in barbering; staggers board member terms to maintain continuity of service; makes the two board members’ terms beginning in 2008 end in 2011 and the three board members’ terms beginning in 2007 end in 2010; states that all subsequent board appointments are for 3-year terms ending on February 1; amends KRS 317.450 to include an annual renewal license fee not to exceed \$50 for independent contract owners; amends KRS 317.570 to allow the board to conduct an examination with two or more of its members present, rather than requiring the presence of a quorum of the board; authorizes the board to give barbering examinations at regularly prescribed intervals more frequently than once

every 30 days; amends KRS 317.590 to clarify that the board may impose a fine of up to \$500 for each violation; adds violating a provision of KRS Chapter 317 or related administrative regulations to the list of offenses subject to licensee discipline; amends KRS 317.991 to make violating any provision of KRS Chapter 317 a Class A misdemeanor and violating any corresponding administrative regulations a Class B misdemeanor; and repeals KRS 317.560, which directed the board to locate its principal office near the Division of Occupations and Professions and directed the division to render assistance to the board.

**SB 46**

AN ACT relating to crime victim testimony.

Amends KRS 421.500 and 532.055 to allow victim impact testimony from more than one family member of a deceased crime victim in the penalty phase of a trial.

**SB 47**

AN ACT relating to health insurance for retired city of the third class police and fire department personnel and their spouses.

Amends KRS 95.624 to allow retired police and firefighters and their spouses to be provided supplemental health insurance if they are receiving Medicare benefits, or are eligible to receive Medicare benefits, as long as providing that insurance does not jeopardize the payment of obligations of the retirement fund of the city.

**SB 49**

AN ACT relating to accountancy.

Amends KRS 325.220 to define “attest” and “compilation”; amends KRS 325.280 to delete language relating to privilege to practice; creates a new section of KRS Chapter 325 to provide the privilege to practice without obtaining a license to specified persons licensed by another state who do not have an office in Kentucky; provides disciplinary actions; amends KRS 325.285 to grant the board disciplinary jurisdiction over some out-of-state persons or firms; amends KRS 325.301 to specify which firms must obtain a license to practice within the state and to provide standards for activities performed by firms; and amends KRS 325.290 and 325.380 to conform.

**SB 53**

AN ACT relating to eggs.

Amends KRS 260.540 to expand the definition of “specialty egg products”; amends KRS 260.550 to elaborate on the circumstances in a “stop order” and “withdraw from sale order”; amends KRS 260.570 to make technical change; amends KRS 260.610 to specify retail carton removal conditions and to allow submission of an existing emergency recall plan; amends KRS 260.630 to set out wholesale and retail labeling requirements; amends KRS 260.640 to delete language incorporated into other sections of KRS Chapter 260; and amends KRS 260.990 relating to penalties.

**SB 57**

AN ACT relating to personal emergency response systems.

Creates a new section of KRS Chapter 438 to define “alarm system,” “personal emergency response system,” “personal emergency response system provider,” “customer,” and

“responder”; creates a new section of KRS Chapter 438 to establish the limitations on a person performing the services of a personal emergency response system provider; creates a new section of KRS Chapter 438 establishing that effective January 1, 2009, all new contracts between a personal emergency response system provider and a customer shall be in accordance with specified contract provisions requiring the customer to designate the order in which responders will be contacted in an emergency; establishes options for the customer to designate a 911 center, public safety answering point, or communications center as the first and primary responder, the secondary responder, or as the primary responder in the case of no voice-to-voice contact with the customer; establishes that the personal emergency response system provider shall provide a disclosure statement to the customer stating the option to designate a 911 center, public safety answering point, or communications center as the primary responder; establishes the type of information that the personal emergency response system provider shall provide to a 911 center, public safety answering point, or communications center; establishes that the personal emergency response system provider shall notify the responders on the customer’s calling list after a 911 center, public safety answering point, or communications center has been called; establishes that a personal emergency response system provider shall notify all customers with existing contracts prior to January 1, 2009, of the option to select a 911 center, public safety answering point, or communications center as the primary responder; creates a new section of KRS Chapter 438 to establish guidelines relating to city, county, charter county, urban-county government, unified local government, or consolidated local governments and personal emergency response system providers; creates a new section of KRS Chapter 438 to establish that this Act does not apply to specified entities; creates a new section of KRS Chapter 438 establishing that the attorney general and the county attorney shall have concurrent jurisdiction to enforce the provisions of this Act; creates a new section of KRS Chapter 438 establishing a \$10,000 per violation penalty for violations of this Act; and establishes that this Act shall be known as the “Christine Talley Act.”

**SB 58**

AN ACT relating to torture of a dog or cat.

Amends KRS 528.135 relating to torture of a dog or cat to revise the penalty to be a Class A misdemeanor if the dog or cat suffers physical injury for the first offense, a Class D felony for each subsequent offense, and a Class D felony for each offense if the dog or cat suffers serious physical injury or death as a result of the offense; and names the bill “Romeo’s Law.”

**SB 64**

AN ACT relating to alternative certification of math and science teachers and declaring an emergency.

Creates a new section of KRS Chapter 161 to establish a certification incentive fund to support the development of institutes for persons pursuing Option 7 of the alternative certification routes established in KRS 161.048; establishes priority for the institutes for purpose of certifying high school mathematics, chemistry, physics, and computer sciences teachers and middle school mathematics and earth science teachers for 2008-2009 to 2011-2012 academic years; provides teacher participants with the opportunity to obtain certificate endorsements or extensions in critical shortage areas, with priority given to mathematics and science through 2016 and in core content areas to their existing certifications through the TC-HQ process,



established by the Education Professional Standards Board to meet the requirements of the No Child Left Behind Act of 2001; and declares an EMERGENCY.

**SB 65**

AN ACT relating to the Kentucky Teachers' Retirement System and declaring an emergency.

Amends KRS 161.568 and 161.569 to provide a one-time election, beginning in July 1, 2008, for public university personnel who have elected to participate in the optional retirement plan to participate in the Kentucky Teachers' Retirement System within their 6 years and 6 months of continuous service in any one of the institutions identified in KRS 161.220(4)(b); permits university personnel who make the election to purchase their prior service with their postsecondary education employers as service credit; specifies the university contribution rate; amends KRS 161.540 to change the reference to "university employees" rather than "university faculty members"; amends KRS 161.567 to permit mutual fund accounts under the optional retirement plans; permits up to four companies from which the postsecondary education institution may purchase contracts; and declares an EMERGENCY.

**SB 68**

AN ACT relating to educational opportunities for military children.

Creates a new section of KRS Chapter 156 to set forth the agreement among the states to remove barriers to educational success imposed on children of military families because of frequent moves and deployments; creates Article I to define the purpose of the agreement; creates Article II to define the terms of the agreement; creates Article III to outline the applicability of the agreement for military family members; creates Article IV to specify the sending and receiving of educational records and enrollment requirements of member states; creates Article V to specify course placement and attendance requirements for military families of member states; creates Article VI to determine the eligibility requirements for children of military families of member states; creates Article VII to facilitate the on-time graduation of children of military families; creates Article VIII to specify the requirements of the agreement to facilitate state coordination; creates Article IX to establish the Interstate Commission to provide oversight of the agreement; creates Article X to define the powers and duties of the Interstate Commission; creates Article XI to specify the organization and operation of the Interstate Commission; creates Article XII to specify the rulemaking functions of the Interstate Commission; creates Article XIII to provide oversight, enforcement, and dispute resolution mechanisms for the member states; creates Article XIV to specify the financing of the Interstate Commission by the member states; creates Article XV to specify the effective date of the agreement; creates Article XVI to specify the terms of withdrawal and dissolution of the agreement among member states; creates Article XVII to specify the severability and construction of the agreement; and creates Article XVIII to specify the binding effect of the compact for the member states.

**SB 69**

AN ACT relating to the hazardous waste management fund and making an appropriation therefor.

Amends KRS 224.46-580 to reduce the rate imposed on hazardous waste generators by one-half for waste delivered from the generator to an incinerator for energy recovery; extends the

sunset date for the hazardous waste assessment fee to 8 years; authorizes transfer of funds from the petroleum storage tank environmental assurance fund to the Environmental and Public Protection Cabinet if the hazardous waste assessment fees total is less than \$1.8 million in current-year dollars; deletes the requirement for the cabinet to estimate the amount of hazardous waste assessment fees collected each year; and requires the Environmental and Public Protection Cabinet to file a biennial report 2 years after the effective date of this Act.

**SB 75**

AN ACT relating to Kentucky educational excellence scholarship eligibility.

Amends KRS 164.7874 to define “on-track to graduate;” amends KRS 164.7881 to require that full-time students who initially enroll in college in the 2009-2010 academic year and thereafter qualify for renewal of their Kentucky Educational Excellence Scholarships beyond the second award period if they have at least a 2.5 grade point average and are on track to graduate or have a 3.0 or better; reduces the awards to 50 percent for any student who has at least a 2.5 grade point average but less than 3.0 and is not on track to graduate; and retains current eligibility and renewal requirements for those who initially enrolled in college prior to 2009-2010 and for part-time students.

**SB 76**

AN ACT relating to manufactured housing.

Amends KRS 227.570 to include manufactured housing and previously owned recreational vehicles within the installation regulations; requires certified installers to apply for a certified installation sticker; establishes power to promulgate administrative regulations; clarifies that the state fire marshal’s office is the state administrative agency responsible for enforcement and administration of the National Manufactured Housing Construction and Safety Standards Act of 1974; amends KRS 227.491 to prohibit electrical inspection of manufactured or mobile homes lacking certified installation stickers; prohibits electrical inspection of previously owned manufactured or mobile homes lacking B1 seals; requires the presence of a certified installer’s seal to energize power to an electrical service in a manufactured or mobile home; prohibits utilities from energizing service to previously owned manufactured or mobile homes lacking B1 seals; and makes provisions of the Act effective January 1, 2009.

**SB 83**

AN ACT relating to net metering of electricity.

Amends KRS 278.465 to add “wind,” “hydro,” “biomass,” and “biogas” to the definition of “eligible electric generating facility”; increases rated capacity for such facilities from 15 to 30 kilowatts; increases percentage of peak load beyond which the Public Service Commission may limit additional customer-generators; requires suppliers to carry forward net-metered credits for the life of the customer-generator’s account; requires customer-generator to pay for any interconnection upgrade; and amends KRS 278.467 to require the Public Service Commission to develop interconnection and net-metering guidelines and to require all retail electric suppliers to file tariffs complying with those guidelines.

**SB 86**

AN ACT relating to the selection of school personnel.

Amends KRS 160.345 to specify the personnel procedures to be used in the selection of school personnel; specifies that the school superintendent shall appoint the principal after consultation with the school council if the vacancy is in a school that has an index score that places it in the lowest one-third of all schools below the assistance line and the school has completed a scholastic audit under KRS 158.6455 that includes findings of lack of effectiveness of the principal and the school council; and makes technical corrections.

**SB 90**

AN ACT relating to deaf and hard of hearing training programs.

Amends KRS 164.4781 to permit the establishment of an interpreter training program for the deaf and hard of hearing at more than one public institution of higher education; deletes language requiring the Council on Postsecondary Education to establish the program at an institution that has demonstrated expertise in training interpreters and providing support services for deaf and hard of hearing students; and deletes language requiring the university to implement an extension interpreter training program that will move to different sites throughout the state from year to year.

**SB 92**

AN ACT relating to the uniform schedule of bail.

Amends KRS 431.540, relating to the setting of the uniform schedule of amounts of bail by the Supreme Court, to permit the court to set a uniform schedule of bail for nonviolent Class D felonies in addition to the current uniform schedule of bail for misdemeanors and violations.

**SB 93**

AN ACT relating to the operation of golf carts on a public roadway.

Creates a new section of KRS Chapter 189 to allow local governments to adopt ordinances permitting the use of golf carts on designated public roadways under its jurisdiction that lie within 5 road miles of an entrance to a golf course; defines the terms "golf cart" and "local government"; requires that ordinances adopted by local governments include the issuance of a permit, the display of a sticker or permit, and the inspection by certified inspector of all golf carts operated on designated public roadways; requires designated public roadways to be restricted to roadways with a speed limit of 35 miles per hour or less; requires golf carts operated on designated public roadways to display a slow-moving emblem in compliance with KRS 189.820; requires golf carts operated on designated public roadways to be insured in compliance with KRS 304.39-080; subjects operators of golf carts on designated public roadways to the traffic regulations of KRS Chapter 189; and exempts golf carts operated on designated public roadways from the title requirements of KRS 186.020, vehicle registration requirements of KRS 186.050, and emissions compliance certificates pursuant to KRS 224-20.720.

**SB 95**

AN ACT changing the classification of the City of Lancaster, in Garrard County.

Reclassifies the City of Lancaster in Garrard County, population 4,372, from a city of the fifth class to a city of the fourth class. As provided in Section 156A of the Kentucky Constitution, the population requirements for the classification of cities established by the former



Section 156 of the Kentucky Constitution remain in effect until changed by law. Therefore, classification as a city of the fourth class requires a population of 3,000 to 7,999.

**SB 96**

AN ACT relating to health insurance coverage for colorectal cancer detection.

Creates a new section of Subtitle 17A of KRS Chapter 304 to require health benefit plans to provide coverage for colorectal cancer screenings, effective January 1, 2009, in accordance with guidelines of the American Cancer Society.

**SB 98**

AN ACT relating to the treatment of breast and cervical cancer in Kentucky and declaring an emergency.

Creates a new section of KRS 205.510 to 205.645 to expand Medicaid coverage to offer benefits to uninsured women who are under age 65, have been diagnosed with breast or cervical cancer or precancerous conditions through the Centers for Disease Control and Prevention's National Breast and Cervical Cancer Early Detection Program or the state program implementing that program, and who are not otherwise covered by insurance; requires the Department for Medicaid Services to request federal approval of this expansion within 3 months after funding becomes available; requires the department to promulgate administrative regulations to implement the program; and declares an EMERGENCY.

**SB 100**

AN ACT relating to state government procurement.

Amends KRS 45A.035 to require regulations be adopted by the Finance and Administration Cabinet providing for an appeals process for disputes arising from specification requirements imposed by this Act; amends KRS 45A.170 to require contract specifications to provide that an item equal to that named or described may be furnished and to require the written opinion of the chief procurement officer when sole brand requirements are deemed to exist; adds best value language to KRS 45A.415; amends KRS 65.025 to define "best value" and requires local government initiating a capital construction project to include best value procurement criteria in invitations for bids or requests for proposals; amends KRS 162.065 to require the inclusion of best value provisions in school construction contract specifications; and amends KRS 164A.585 to include best value provisions in construction contracts at public colleges and universities.

**SB 118**

AN ACT relating to drugs.

Amends KRS 214.034 to remove the clause sun setting the requirement that all public and private primary schools obtain a current immunization certificate for hepatitis B for any child enrolled as a regular attendee in the 6<sup>th</sup> grade; amends KRS 315.036 to delete references to wholesalers; creates new sections of KRS Chapter 315 to define terms including "authorized distributor of record," "counterfeit prescription drug," "drop shipment," "emergency medical reasons," "end user," "manufacturer," "normal distribution channel," "pedigree," "third party logistics provider" and "wholesale distributor"; requires a wholesale distributor to be licensed by the Board of Pharmacy; specifies conditions for a wholesale distributor to receive prescription drugs and requires a manufacturer or a wholesale distributor to supply drugs only to a person

licensed to possess or distribute drugs to an end user; requires any wholesale distributor to provide a pedigree if the drugs were outside of the normal distribution channel and permits the Board of Pharmacy to specify the required contents of a pedigree; prohibits the Board of Pharmacy from requiring the use of an electronic track and trace system for pedigrees until the federal government establishes standard technology; requires the Board of Pharmacy to promulgate administrative regulations to implement requirements consistent with federal law; permits the Board of Pharmacy to issue an order to cease distribution upon cause and permits an administrative hearing on the cease order; and specifies penalties for violations.

**SB 120**

AN ACT relating to booster seats.

Amends KRS 189.125 to require that a child under age 7 years between 40 and 50 inches in height be secured in a child booster seat; amends KRS 189.990 relating to penalties for traffic offenses to require that a courtesy warning be issued for a first violation of the booster seat requirement; requires that child restraint seat and booster seat fines not be subject to additional costs or fees; requires that seat belt violations not be subject to additional costs or fees; and permits a person who has not been previously charged with a violation to elect to acquire a booster seat meeting requirements and upon presentation of sufficient proof of the acquisition have the charge dismissed and no fees or costs imposed.

**SB 125**

AN ACT relating to impaired adults.

Amends KRS 39F.010 to define the term “impaired adult”; amends KRS 39F.020 to require rescue squads organized searching for a missing impaired adult to cooperate with local media outlets in notifying the public about the search; amends KRS 39F.180 to require a person or organization searching for a person with a known or reported organic brain disorder including Alzheimer’s disease to report the search as a Golden Alert search to local media outlets; requires additional reporting to the local emergency management director, local search and rescue coordinator, and duty officer of the Division of Emergency Management; and establishes the title as the “Golden Alert Bill.”

**SB 127**

AN ACT relating to historic properties.

Amends KRS 42.019 to remove the Henry Clay Law Office from the list of state-owned historic properties.

**SB 129**

AN ACT relating to surplus local school district technology property.

Creates a new section of KRS Chapter 160 to permit a local board of education to adopt a policy for distribution of refurbished surplus technology to low-income students; and amends KRS 45A.425 to conform.

**SB 131**

AN ACT relating to survivor benefits for adopted children.

Amends KRS 161.520 to delete the provision prohibiting survivor benefits from the Kentucky Teachers’ Retirement System for legally adopted children unless adoption proceedings

were initiated at least 1 year prior to the death of the member; and makes eligibility retroactive to legally adopted children born after January 1, 1990.

**SB 132**

AN ACT relating to adoption assistance.

Amends KRS 199.555 to make technical corrections to conform with federal requirements related to state-funded adoption assistance; and amends KRS 199.557 to make technical corrections to conform with federal requirements related to federally funded adoption assistance.

**SB 135**

AN ACT relating to transportation.

Amends KRS 186.172, regarding firefighter license plates, to make professional firefighters and retired firefighters eligible for the plates; changes the license plate inscription from "Volunteer Fire Fighter" to "Firefighter"; allows proof of service to be furnished by the fire chief; eliminates references to fees and administration of the plate; ties plate fees to the fee schedule set forth in KRS 186.162; specifies that the plate shall be administered in the same manner as other special plates under KRS 186.164; allows the Kentucky Association of Firefighters to petition the Transportation Cabinet to place a voluntary contribution on the plate in accordance with KRS 186.164(12) to (15); amends KRS 186.164 and KRS 186.166 to conform; and designates KY 32 in Lawrence County the "Skaggs Brothers Highway."

**SB 136**

AN ACT relating to civil liability for the theft of motor fuel.

Creates new sections of KRS Chapter 411 to outline specific civil liability and related procedures for financial recovery after the theft of motor fuel for motor vehicles and motorboats; defines "motor fuel," "retailer," "retail facility," and "vehicle"; authorizes retailers to mail a notice demanding payment from the owner of a vehicle that receives motor fuel without making proper payment to the retailer; allows retailers to impose a \$30 service charge in addition to recovering the cost of the motor fuel; imposes a civil penalty in the amount of the greater of the price of the motor fuel or \$100 if the owner has not made payment within 30 days after the notice was mailed; mandates that retailers conspicuously display notice of the service charge on the premises from which the motor fuel was received; requires retailers to include surveillance video photographs or other photographic evidence with the notice of nonpayment sent to the owner of a vehicle for retail theft of motor fuel; forbids further collection efforts if the vehicle owner disputes the retailer's claim within the 30 days after the notice was mailed; limits retailers to collecting the price of motor fuel only on a disputed claim through civil liability under KRS 411.095 or any other applicable law; indicates that civil liability under motor theft recovery statutes does not preclude other civil or criminal liability; directs the Transportation Cabinet to promulgate administrative regulations to establish a system for the release of appropriate vehicle owner personal information to retailers; prohibits the disclosure of any information outside that allowed by relevant federal law; and allows the cabinet to integrate motor fuel theft information system into its existing information sharing systems operated under KRS Chapter 187.

**SB 146**

AN ACT relating to unemployment insurance.

Amends KRS 341.190 to require a public agency that receives unemployment insurance information and records to enter into a written agreement to meet the federal safeguards of confidentiality and disclosure requirements; provides for release of information and records to a public official by subpoena; requires that information and records be available to a federal official for the purpose of oversight and auditing; specifies that disclosure of information is to be made only if necessary for the administration of the unemployment insurance program, a small amount of processing time is required, or the cost of providing the information and records is paid by the recipient prior to the disclosure; and amends KRS 341.990 to create a Class A misdemeanor penalty for any person who violates the confidentiality provision of information and records.

**SB 149**

AN ACT relating to metabolic disorders in children.

Amends KRS 205.560 to clarify Medicaid coverage for therapeutic food, formulas, supplements, and low-protein food products obtained rather than prescribed for treatment of inborn errors of metabolism and genetic disorders; restores list of medical conditions; amends KRS 304.17A-139 to require coverage for a newborn to include care and treatment of congenital defects and birth abnormalities; creates a new section of KRS 304.17A-139 that replaces existing language relating to insurance coverage for therapeutic food, formulas, and supplements; and amends KRS 213.141 and 304.17A-139 to conform.

**SB 150**

AN ACT relating to special license plates.

Amends KRS 186.041 to permit the surviving spouse of a former Kentucky National Guard member or retired veteran to keep special license plates assigned to that member or veteran.

**SB 151**

AN ACT relating to victims of sexual offenses.

Creates new sections of KRS Chapters 16, 65, 70, and 95 to prohibit law enforcement officers or state prosecutors from requiring the victim of a sexual offense to submit to a polygraph examination as a condition precedent to the investigation or prosecution of an alleged sexual offense.

**SB 155**

AN ACT relating to the Kentucky Jobs Development Act and declaring an emergency.

Amends KRS 154.24-010(19)(b), relating to exclusions from the definition of "service or technology," to include an eligible company that engages in activities involving the performance of work by an individual pursuant to a license issued by the state if 75 percent of the services are provided to persons located outside the Commonwealth; and declares an EMERGENCY.

**SB 157**

AN ACT relating to education and declaring an emergency.

Amends KRS 161.750 to move the date of notification of nonrenewal of employment of certified school staff from April 30 to May 15; amends KRS 161.760 to move the date of salary notification for certified staff from 45 days before school starts to 45 days before school starts or June 15, whichever occurs earlier; moves the date of notification of any reduction of duties of certified staff from 90 days before school starts to 90 days before school starts or May 15, whichever occurs earlier; amends KRS 161.011 to move the date of notification of nonrenewal of employment of classified school staff from April 30 to May 15; amends KRS 161.780 to reduce the time a teacher has to terminate his or her contract from 30 days prior to the first instructional day to 15 days prior to the first instructional day at a school to which the teacher is assigned; amends various statutes to rename regional universities as comprehensive universities and amends KRS 15.257 and 164.465 to conform; and declares an EMERGENCY.

**SB 158**

AN ACT relating to licensure and certification of dietitians and nutritionists.

Amends KRS 310.041 to require the Kentucky Board of Licensure and Certification for Dietitians and Nutritionists to promulgate administrative regulations to establish conditions for granting retired or inactive status to a license or certificate holder; clarifies that annual licensure renewal requirements do not apply to those who have been granted a retired or inactive licensure or certification status, or those who have been allowed to voluntarily relinquish their licenses or certificates; directs the board to create procedures for a license or certificate holder to voluntarily relinquish his or her license or certificate and to establish conditions for any subsequent reinstatement; and makes technical corrections.

**SB 159**

AN ACT relating to service animals.

Amends KRS 258.085 to exempt service animals and service animals in training from the 10-day quarantine required when animals bite a human, if the animals are under the control of a law enforcement agency and are vaccinated.

**SB 167**

AN ACT relating to installment sales contracts.

Amends KRS 190.100 to define a “debt cancellation agreement”; authorizes inclusion of a debt cancellation agreement in a motor vehicle retail installment contract; and specifies that a debt cancellation agreement shall not be considered or treated as an insurance contract.

**SB 169**

AN ACT relating to military affairs.

Amends KRS 36.510 to change the name of a federal act from Soldiers’ and Sailors’ Civil Relief Act of 1940 to Servicemembers Civil Relief Act.

**SB 173**

AN ACT relating to the Board of Physical Therapy.

Amends KRS 327.030 to require that one board member be a resident of Kentucky and not affiliated with or have more than a 5 percent interest in any health care profession or

business; specifies membership criteria for all other Board of Physical Therapy members; requires appointment by the governor; requires staggered terms; and requires the board to provide orientation.

**SB 174**

AN ACT relating to the Uniform Interstate Deposition and Discovery Act.

Creates a new section of KRS Chapter 421 adopting the Uniform Deposition and Discovery Act, defining terms, and establishing procedures.

**SB 179**

AN ACT changing the classification of the City of Whitesburg, in Letcher County.

Reclassifies the City of Whitesburg in Letcher County, population 1,517, from a city of the fifth class to a city of the fourth class. As provided in Section 156A of the Kentucky Constitution, the population requirements for the classification of cities established by the former Section 156 of the Kentucky Constitution remain in effect until changed by law. Therefore, classification as a city of the fourth class requires a population of 3,000 to 7,999.

**SB 188**

AN ACT relating to citizen foster care review boards.

Amends KRS 620.220 to permit use of electronic records from court clerks to citizen foster care review boards.

**SB 189**

AN ACT relating to capital renewal, maintenance, and renovation of state-owned facilities.

Directs that the Finance and Administration Cabinet and the Council on Postsecondary Education prepare individual reports on the establishment and implementation of a process for funding deferred and future major capital renewal, maintenance, and renovation needs costing \$600,000 or more; directs that the Office of State Budget Director assist in the preparation of the reports; and requires that findings be reported to the Legislative Research Commission no later than December 1, 2008.

**SB 190**

AN ACT relating to motor vehicle sales.

Amends KRS 190.070 to prohibit the change in ownership of an automobile manufacturer continuing to provide a line model in Kentucky from terminating an existing agreement with an automobile dealer unless the manufacturer offers the existing dealer an agreement similar to the other dealers of the same line model.

**SB 192**

AN ACT relating to family resource and youth services centers and making an appropriation therefor.

Amends KRS 156.4975 to delete reference to the interagency task force on family resource and youth services centers; re-creates an inadvertently deleted section of KRS Chapter 156 relating to family resource and youth services centers; specifies the purpose, eligibility criteria, core components, and funding; specifies that a funded center may remain eligible until



the percent of the student body eligible for free or reduced price school food is below 20 percent for 5 consecutive years; prohibits abortion counseling or referrals; amends KRS 156.4977 to conform; and creates a new section of KRS Chapter 194A to require the cabinet to promulgate administrative regulations to implement continuation application requirements and to establish a continuing education program for coordinators and staff.

**SB 195**

AN ACT relating to pawnbrokers.

Amends KRS 226.050 to reduce from 90 days to 60 days the period of time required after maturity of the loan before a pawnbroker may sell a pawned article.

**SB 196**

AN ACT relating to parks and tourism.

Amends KRS 148.795 to define certain terms related to the Kentucky Recreational Trails Authority; expands authority membership with representation from the Kentucky Motorcycle Association, League of Kentucky Sportsmen, Kentucky Council of Area Development Districts, ATV associations, hiking or backpacking organizations, Kentucky Horse Council, Kentucky Farm Bureau, the coal industry, and others; authorizes the authority and other governmental entities to enter into recreational land use contractual agreements; establishes that these contractual agreements do not ensure certain rights; allows governmental entities to provide for various recreational activities and related facilities on designated lands where owners have entered into agreements; provides for establishing a permit systems to access lands for off-road activities; enables the Commerce Cabinet to administer a fund for certain proceeds from the authority's operations; allows recreational use agreement entities to agree to termination notice; limits indemnity for landowners to the same provided in KRS 411.190; charges the authority with implementing an informational campaign on responsible and legal recreational activity; prohibits persons from entering private lands in the absence of an agreement without the owner's permission; directs the authority to study illegal trespass by all-terrain and off-highway vehicles on private farmland, making recommendations to the Legislative Research Commission by December 15, 2008; allows conservation officers to enforce recreational agreements subject to a memorandum of agreement with the Commerce Cabinet; and authorizes the Department of Fish and Wildlife Resources and the Commerce Cabinet to promulgate administrative regulations to implement respective provisions described in the Act.

**SB 199**

AN ACT relating to the American Medical Association "Guides to the Evaluation of Permanent Impairment."

Relates to workers' compensation; delays adoption of the latest edition of the American Medical Association guidelines until the normal effective date of legislation enacted in the 2009 Regular Session; requires the executive director of the Office of Workers' Claims to study the advisability of adopting the new guidelines and to make a report to the Legislative Research Commission by January 2009; permits an earlier adoption by administrative regulation if the executive director finds that an earlier adoption would best serve the welfare of Kentucky's workers; and declares an EMERGENCY.

**SB 203**

AN ACT relating to amusement rides and attractions.

Amends KRS 247.232 to combine the definitions of “amusement ride” and “amusement attraction” into one definition, to amend the definition of “owner,” and to define “operator,” “operator assistant,” and “ASTM standard”; amends KRS 247.234 to require owners of amusement rides and attractions to complete an application for a business identification number, conduct preopening inspections and tests of amusement rides and attractions each day the ride or attraction is to be operated, and maintain records of the inspections and tests; allows the commissioner to revoke the business identification number of any owner that fails to conduct the inspections and tests; amends KRS 247.236 to prohibit amusement rides and attractions from being operated if an owner knows the operation would be unsafe; prohibits anyone who is under the influence of alcohol or other substance or who is younger than 18 from operating an amusement ride or attraction; permits the commissioner to designate certain rides or attractions where the presence of an operator is not required; allows an owner, operator, or operator assistant to deny a person from getting on an amusement ride or attraction if the owner, operator, or operator assistant has reason to believe that the person may jeopardize his or her safety or others’ safety; creates new sections of KRS 247.232 to 247.236 to establish the reporting procedures that owners must follow and the investigation procedures that the department must follow if an incident occurs that results in death, injury requiring medical treatment other than first aid, or damage to a ride or attraction that would affect the safety of the ride or attraction; requires the department to promulgate administrative regulations establishing a comprehensive set of administrative violations and civil penalties not to exceed \$10,000 and the procedure for revoking identification numbers, licenses, or other certificates issued by the department; establishes the requirements that amusement ride and attraction owners must meet relating to specifications, manuals, service bulletins, and inspection records of the rides and attractions; requires the department to promulgate administrative regulations relating to the use of replacement parts; permits the department to promulgate administrative regulations regarding ASTM standards; amends KRS 247.990 to delete references to penalties relating to amusement rides and attractions since the penalties will be established by administrative regulations; and makes technical corrections.

**SB 226**

AN ACT relating to the Kentucky State Police.

Amends KRS 16.075 to direct the Department of Kentucky State Police to secure such automobile liability insurance and uninsured and underinsured motorist coverage as will reasonably protect the interests of the State Police or reimburse members of the State Police who purchase a rider on their personal motor vehicle insurance policies to secure such coverage; directs the department to determine the minimum coverage the member must purchase to be eligible for reimbursement and the maximum amount of reimbursement; and requires the uninsured and underinsured motorist coverage to be no less than the policy’s liability limits for bodily injury or death.

**SB 242**

AN ACT relating to bees and making an appropriation therefor.

Creates a new section of KRS Chapter 252 to establish the Kentucky beekeeping fund in the Department of Agriculture; requires the Department of Agriculture to cooperate with



Kentucky State University in promoting the beekeeping industry in Kentucky; and amends KRS 252.190 to set out departmental regulatory duties.

**SB 243**

AN ACT relating to special wastes.

Amends KRS 224.50-760 to include wastes generated from coal gasification as special wastes; and specifies which coal gasification wastes are treated as special wastes and requires testing of those wastes to be submitted to the Environmental and Public Protection Cabinet for approval.

**SJR 9**

Directs the Transportation Cabinet to name a portion of U.S. Highway 231 in Daviess County in memory of Specialist Timothy Adam Fulkerson and to erect signs on U.S. Route 231 that read "Specialist Timothy Adam Fulkerson Memorial Highway."

**SJR 76**

Directs the Environmental and Public Protection Cabinet to submit, by December 15, 2008, a report to the Legislative Research Commission relating to electronic waste disposal and recycling.

**SJR 80**

Requires that a subcommittee of the Interim Joint Committee on Judiciary study the Kentucky Penal Code and controlled substances laws, make recommendations for modernizing the code, and provide for establishing penalty priorities with a first report to the Legislative Research Commission no later than December 1, 2008.



## House Bills

### HB 2

AN ACT relating to the promotion of the efficient use of energy and making an appropriation therefore.

Amends KRS 56.770 to define “cabinet,” “high-performance building,” “high-performance building standards,” and “public building”; amends KRS 56.772, 56.774, 56.775, 56.778, 56.783, and 56.784 to conform; amends KRS 56.775 to require that all construction or renovation of public buildings for which 50 percent or more of the total capital cost is paid by the Commonwealth be designed and constructed or renovated to meet the high-performance building standards; requires that all buildings leased by the Commonwealth or any of its agencies meet the high-performance building standards; requires incorporation of ENERGY STAR-qualified products to the extent feasible; creates a new section of KRS 56.770 to 56.784 to create a High-performance Buildings Advisory Committee to make recommendations to the Finance and Administration Cabinet; requires the Finance and Administration Cabinet to promulgate administrative regulations and develop standards and criteria; amends KRS 56.782 to require the Finance and Administration Cabinet to report on or before October 15, 2008, and on or before October 15 thereafter; creates new sections of KRS Chapter 141 to define terms and create nonrefundable credits against the individual income tax or the corporation income tax and the limited liability entity tax for the purchase of certain energy-efficient products; creates nonrefundable credits against the corporation income tax and the limited liability entity tax for the construction of an ENERGY STAR home built in the Commonwealth or sale of an ENERGY STAR manufactured home to be used as a principal place of residence in the Commonwealth; amends KRS 141.0204 to establish the order in which the credits may be taken; amends KRS 151.720 to authorize the Kentucky River Authority to promote private investment in the installation of hydroelectric generating units on Kentucky River dams under their jurisdiction; creates a new section of KRS 160.160 to 160.348 to require boards of education to enroll in the Kentucky Energy Efficiency Program and to require reporting by the Kentucky Pollution Control Center; requires the Governor’s Office of Energy Policy to report and recommend on or before November 30, 2008, to the Legislative Research Commission concerning the adoption of a renewable-energy and energy-efficient portfolio standard for all suppliers of retail electric sales; amends KRS 278.285 to include next generation residential utility meters in demand-side management plans; amends KRS 158.808 to require the Department for Workforce Investment to establish an energy technology career track program; creates a new section of KRS 152.710 to 152.725 to create a Center for Renewable Energy Research and Environmental Stewardship; attaches the center to Governor’s Office of Energy Policy for administrative purposes; establishes duties of the center; creates a governing board of directors; designates membership and term of service; establishes the duties of the board; creates new sections of KRS Chapter 42 to establish the Kentucky Bluegrass Turns Green Program; defines terms; creates public- sector grant fund; creates private-sector loan fund; establishes eligibility requirements; authorizes bond funds in fiscal year 2008-2009 for loan fund and grant fund; and provides the principal amount authorized shall be increased by the amount necessary to capitalize and pay required principal and interest payments in fiscal year 2009 and fiscal year 2010.

**HB 29**

AN ACT relating to public health care.

Amends KRS 334A.020 to add “speech pathologist” and “verbal therapist” to definition of “speech-language pathologist” and to add “aural rehabilitationist” and “hearing conservationist” to definition of “audiologist”; creates definitions for “interim license” and “temporary license”; amends KRS 334A.035 to include persons with a master’s degree in communication disorders or in a doctoral program for speech-language pathology or communication disorders to those who may apply for an interim license; specifies actions required when an applicant does not pass a national examination; limits an interim license to a period not to exceed 24 months; adds “communication disorders” as an alternative to speech-language pathology degrees; specifies postgraduate experience necessary for licensure; exempts from licensure a speech-language pathologist with teacher certification in communication disorders who is employed only by a public school system; requires licensure for a speech-language pathologist without teacher certification; creates a new section of KRS Chapter 334A to permit practice under a temporary licenses for up to 180 days; creates a new section of KRS Chapter 334A to specify requirements for an interim license; creates a new section of KRS Chapter 334A to specify requirements for initial licensure; creates a new section of KRS Chapter 334A to specify requirements for Kentucky licensure for an applicant currently licensed in another state; creates a new section of KRS Chapter 334A to specify renewal requirements for an inactive license; amends KRS 334A.040 to make technical corrections; amends KRS 334A.070 to delete language permitting the board to conduct executive sessions; amends KRS 334A.160 to increase initial licensure fees from \$100 to \$200, to increase the delinquency fee from \$20 to \$40, to increase renewal fee for an inactive license from \$10 to \$20, to increase license fee for a speech-language pathology assistant from \$75 to \$150, and to increase the interim license fee from \$75 to \$150; amends KRS 334A.170 to require a license to be renewed biennially and to increase the renewal fee from \$75 to \$150 or \$180 if after January 31; amends KRS 334A.180 to permit the board to fine a licensee up to \$1,000 upon a two-thirds vote and to add conditions relating to misrepresentation as grounds for the board to take action against a licensee; creates a new section of KRS Chapter 334A to provide immunity from personal liability for board members, agents, and employees; permits the board to take action after a license has been surrendered and requires city, county, or Commonwealth’s attorneys to represent the board in enforcement actions; and adds noncodified language to require the Cabinet for Health and Family Services to report by September 1, 2008, to the Interim Joint Committee on Health and Welfare on its purchase of the federal allotment of antiviral treatment under the federally subsidized price.

**HB 36**

AN ACT relating to vital statistics.

Amends KRS 213.041 to allow certificates required under KRS Chapter 213 to be signed in black or blue ink; amends KRS 213.076 to establish that a funeral director will not be held responsible for the failure of a physician, dentist, chiropractor, or coroner to complete or correct an entry on the death certificate for which he or she is responsible; amends KRS 213.076 to establish that the cause of death be shown on the certificate of death as unknown or under investigation or under inquiry by a Kentucky coroner in medical certification of death cases where inquiry is required by a Kentucky coroner or if the cause of death is unknown or under investigation; amends KRS 213.076 to establish that diabetes shall be listed on the death

certificate if diabetes was known to be an underlying cause or contributing condition to the cause of death; amends KRS 213.076 to delete language regarding diabetes questions on death certificates; and repeals KRS 213.078.

#### **HB 44**

AN ACT relating to health data collection.

Amends KRS 216.2923 to require information on charges, quality, and outcomes of health care services to be included in published information; requires the Health Services Data Advisory Committee to make recommendations on risk adjusting data; amends KRS 216.2925 to require reports on a quarterly basis, to add outcome data, and to require electronic reports as required under federal law; amends KRS 216.2927 to require a public use data agreement and to require the Data Advisory Committee to review protocols on release of data; specifies exact duties of the data advisory committee; amends KRS 216.2929 to require information on the cabinet's Web site regarding charges, quality, and outcomes; specifies sources of data; requires opportunity for provider to comment on data; requires use of national quality indicators and explanations about use of data; requires report by October 1 each year on cabinet activities regarding data collection; specifies that all health insurers are required to submit policy information, not all insurers; and requires report.

#### **HB 65**

AN ACT relating to military service.

Creates a new section of KRS Chapter 40 to establish the Kentucky Medal for Freedom award for soldiers killed on or after January 1, 1991, who had ties to Kentucky.

#### **HB 79**

AN ACT relating to road projects and declaring an emergency.

Sets forth the 2008-2010 Biennial Highway Construction Plan; VETOED.

#### **HB 83**

AN ACT relating to water districts.

Amends KRS 74.020 to delete authorization for the county judge/executive to appoint two additional commissioners with approval of the fiscal court when two or more water districts merge; allows districts to extend into one or more adjacent counties; allows single and multicounty districts to acquire an existing or gas distribution system in more than one county without adding additional board members; allows the commission to elect a vice chair and any other assistants; allows two or more offices to be held by the same person, except for the chair; deletes the requirement that the commissioner's surety bond be approved by the county judge/executive; amends KRS 74.030 to delete the requirement for the county attorney to serve as general counsel to the water commission and to allow the commission to hire legal counsel; amends KRS 74.040 to allow the commission to hire a chief executive officer and to pay a salary to the chief executive officer; amends KRS 74.050 to require the treasurer to keep records of receipts and disbursements in accordance with the Uniform System of Accounts for utilities and to execute a surety bond whose amount is determined by the commission; clarifies that a water district commissioner serving as a commission treasurer shall be eligible for up to \$200 per year in additional compensation for his or her services as treasurer; amends KRS 74.070 to delete the authorization for the commission to acquire, install works, and operate a water system for any

district; requires that all corporate authority be vested within the water commission and that the affairs of the water district fall under the commission; allows the commission to adopt bylaws not inconsistent with KRS Chapter 74; amends KRS 74.330 to extend the bond issues from 30 to 40 years; amends KRS 74.361 to allow current water commissioners to continue to serve even after a merger of a water district, regardless of their term of expiration, for 1 year; amends KRS 74.363 to conform to allow water commissioners to continue to serve even after a merger; deletes the requirement for the county judge/executive to approve the number of commissioners following the merger; determines the number of commissioners in the merger documents; deletes the formula for commissioners in a resulting district of two or more counties; amends KRS 65.060, 65.805, 74.407, 74.370, 76.005, 76.242, 220.010, and 220.554 to conform; and repeals KRS 74.250 and 74.416.

#### **HB 84**

AN ACT relating to life insurance.

Amends KRS 304.16-030, pertaining to life insurance held by the employer on lives of employees, to delete the authorization to pay the entire premium for funds contributed by employees if the amount of insurance does not exceed \$2,000 on the life of an employee; requires a policy where no part of the premium is paid by employees to insure all eligible employees; deletes the requirement that the policy must cover at least two employees; amends KRS 304.16-040 to define "debtors" insured by a creditor under a life policy; places a limit on the amount of insurance on the life of any debtor; amends KRS 304.16-050, pertaining to life insurance issued to a labor union, to delete the requirement that at least 25 members must be insured; provides exceptions to the requirement that all eligible members must be insured if members pay no part of the premium; amends KRS 304.16-060, pertaining to life insurance issued to trustees of a fund established by two or more employers in the same industry or one or more labor unions, to delete the requirement that if the insured persons are to contribute to the premiums, at least 75 percent of eligible persons must contribute; permits an insurer to exclude or limit coverage on any person as to whom evidence of individual insurability is not satisfactory to the insurer; amends KRS 304.16-070, pertaining to life insurance issued to local governments and universities and school districts, to delete the requirement that at least 75 percent of eligible members be covered; amends KRS 304.16-080 to establish requirements for an association to which a policy is issued; amends KRS 304.16-085, which permits extension of coverage to dependents, to delete the requirement that such coverage cannot be in excess of 50 percent of the insurance on the life of the employee or member; amends KRS 304.16-090, pertaining to life policies issued to a credit union, to delete the requirement that if the insured persons are to contribute to the premiums, at least 75 percent of eligible persons must contribute; deletes the requirement that at least 25 members must be covered; deletes the requirement that the amount of insurance cannot exceed the amount of total shares and deposits of the member in or with the credit union; amends KRS 304.16-170 to permit the insurer to pay up to \$2,000 rather than \$500 to a person equitably entitled by reason of having incurred funeral or other expenses incident to the last illness or death of the individual insured; amends KRS 304.16-190 to make conversion privilege available to a surviving dependent and dependent of an employee or member upon termination of coverage of the dependent; and amends KRS 304.16-200 to application to the insured dependent of a covered person.



### **HB 88**

AN ACT relating to abatement of nuisances.

Amends KRS 82.700 to allow cities of the third and fourth classes to expand their ability to eliminate public nuisances by having the same powers presently held by cities of the first and second classes and consolidated local governments.

### **HB 91**

AN ACT relating to the safety, learning, and well-being of students.

Creates a new section of KRS Chapter 158 to require school personnel to report incidents of student felony offenses under KRS Chapter 508 to law enforcement and parents of students involved; amends KRS 158.444 to require a local school district to include in its statewide data report all incidents in which a student has been disciplined by the school for a serious offense, including the nature of the offense, and all incidents in which a student has been charged criminally for any offense identified in KRS Chapter 508 or in Section 4 or 5 of this Act that occurred on school premises, on the school bus, or at school functions; requires the Kentucky Department of Education to submit to the Office of Education Accountability and the Education Assessment and Accountability Review Committee an annual statistical report, rather than a monthly statistical report, to include the number and types of incidents of violence or assault against school employees and students, possession of guns or other deadly weapons on school property or at school functions, and possession or use of alcohol, prescription drugs, or controlled substances on school property or at school functions; requires the annual statistical report to include monthly data and cumulative data for the reporting year; sets the reporting period as an academic year, delivered by August 31 of each year; amends KRS 158.148 to require the Kentucky Department of Education, in consultation with various professional agencies, to develop or update as needed, a model policy to implement the provisions of this Act to be distributed to schools by August 31 of each even-numbered year, beginning August 31, 2008; amends KRS 525.070 to identify specific activities done by a student as harassment; amends KRS 525.080 to identify specific activities done by a student as harassing communication.

### **HB 103**

AN ACT relating to county courthouse districts.

Requires that any taxing authority established by the named acts shall expire on the effective date of the act; references certain acts of the General Assembly relating to the Campbell County Court House District; and adds a provision eliminating duty of courthouse commission to provide office space for non-Court of Justice agencies and personnel.

### **HB 106**

AN ACT relating to metals.

Creates new sections of KRS Chapter 433 to require junkyards and other purchasers of nonferrous metals, railroad rails, returnable metal beverage containers holding more than 2 liters of liquid, and catalytic converters to keep records of transactions, identify sellers of metals, report the transactions to law enforcement upon request, and take other actions with regard to the purchases; establishes the crime of unlawful acts relating to the purchase or disposition of metals; establishes the crime of providing fraudulent identification for the sale of metals; exempts transactions relating to firearms; exempts certain transactions at yard sales and flea

markets; creates a new section of KRS Chapter 15 to provide concurrent jurisdiction for investigation and prosecution of violations of purchase-of-metals laws in the offices of attorney general and Commonwealth's and county attorneys; creates a new section of KRS Chapter 16 to require the Department of Kentucky State Police to create recordkeeping forms for metals transactions; creates a new section of KRS Chapter 65 to permit local governments to have stricter but not lesser requirements for metals transactions; amends KRS 365.990 relating to penalties for violation of consumer protection statutes to delete reference to KRS 365.250; amends KRS 365.690 to conform; repeals KRS 365.260 relating to reporting of copper purchases; creates a new section of KRS Chapter 243 to prohibit sales of beer kegs to recyclers or dealers in scrap metals other than by the originating brewery; and amends KRS 243.990 relating to penalties for violating alcohol statutes to provide a fine of not more than \$1,000 for selling or purchasing a beer keg in violation of the law.

**HB 110**

AN ACT relating to the misuse of military status.

Creates a new section of KRS Chapter 434 to prohibit a person from misrepresenting military status with the intent to defraud, obtain employment, or be elected or appointed to public office; exempts from penalty individuals using military for historical, dramatic, ceremonial, recruitment, and other purposes; establishes penalties including a violation, fines, or imprisonment in a county jail; establishes that fines assessed as penalties shall be deposited with the veterans program trust fund; titles the bill the Kentucky Stolen Valor Act; amends KRS 186.210 to prohibit making false statements in application for a military license plate; and amends KRS 186.990 to conform.

**HB 131**

AN ACT relating to referendums.

Amends KRS 247.6901 to 247.6957 to allow sheep and goat producers to conduct referendums to vote on whether or not to levy assessments on the sale of their animals; defines "association," "caprine," and "ovine"; establishes a Kentucky Sheep and Goat Council; allows the council to determine how assessment funds shall be disbursed; establishes how assessments may be terminated; and makes technical corrections to conform.

**HB 139**

AN ACT relating to blood donation by a minor.

Amends KRS 214.468 to permit a person who is 16 years of age weighing at least 110 pounds to donate blood with the written consent of the person's parent or legally authorized guardian.

**HB 168**

AN ACT relating to operator's licenses.

Amends KRS 186.412, regarding motor vehicle operator's licenses, to clarify that a member of the military returning to the Commonwealth from out-of-state duty whose operator's license has expired while away shall not be cited or convicted for driving on an expired license within 90 days of return to the state if the person can provide proof of out-of-state service and dates of assignment; and amends KRS 36.450, regarding licenses and certificates issued to members of the military, to conform.



**HB 170**

AN ACT relating to motor vehicle accidents.

Amends KRS 189.990, relating to motor vehicle offense penalties, to increase to a Class D felony the penalty for leaving the scene of an accident where the driver knew or should have known that death or serious physical injury is involved.

**HB 179**

AN ACT relating to paid-up life insurance policies.

Creates a new section of Subtitle 15 of KRS Chapter 304 to require life insurers to notify the Office of Insurance when a policy is paid up; requires the executive director of the Office of Insurance to retain the notice for future inquiries from the policy holder.

**HB 182**

AN ACT relating to property tax administration.

Amends KRS 132.480 to require the property valuation administrator to update his or her address records to capture the in-care-of address; amends KRS 133.220 to require the property valuation administrator to consider the in-care-of address when notices are returned as undeliverable; amends KRS 382.135 to require that a deed to real property include a statement indicating the in-care-of address to which the property tax bill may be sent; amends KRS 132.380 to require the examination at a central location for property valuation administrators and to require a statewide press release announcing the examination 30 days prior to the examination.

**HB 186**

AN ACT relating to dental care, and declaring an emergency.

Amends KRS 156.160 to require that a dental screening or examination by a dentist or dental hygienist, physician, registered nurse, advanced registered nurse practitioner, or physician assistant be required by the Kentucky Board of Education beginning with the 2010-2011 school year; requires the board to promulgate administrative regulations requiring evidence that a dental screening or examination that meets the criteria prescribed by the board has been performed; requires evidence to be submitted to the school no later than January 1 of the first year that a 5- or 6-year-old child is enrolled in a public school; requires a child to be referred to a licensed dentist if a dental screening or examination performed by anyone other than a licensed dentist identifies the possibility of dental disease; and amends KRS 313.254 to permit the board to waive requirements relating to temporary and reciprocal licensure for a dentist or dental hygienist who volunteers services through a nonprofit, all-volunteer charitable organization.

**HB 187**

AN ACT relating to tuberculosis risk assessment.

Amends KRS 199.8982 to require applicants for certification as a family child care provider to provide a copy of a tuberculosis risk assessment and the appropriate skin testing or chest X-ray only for applicants at risk according to recommendations of the Centers for Disease Control and Prevention (CDC); and amends KRS 161.145 to require that any physical examination required for classified personnel include a tuberculosis risk assessment and the appropriate follow-up skin testing or chest X-ray for those determined to be at risk for developing tuberculosis according to CDC recommendations instead of requiring a tuberculin skin test for all classified personnel.

**HB 201**

AN ACT relating to the care of individuals with mental retardation or other developmental disorders.

Amends KRS 202B.070 to require that direct care staff are informed of the need for supervision for a resident of an Intermediate Care Facility for the Mentally Retarded by the person responsible for the implementation of the individual care plan; specifies that an individual with direct care responsibility who intentionally or repeatedly fails to supervise as specified in the care plan and who creates a risk of imminent harm or death shall be subject to dismissal; specifies the facility administrator's responsibility after admittance; and states that this Act shall be known and may be cited as "Deron's Law."

**HB 202**

AN ACT relating to alcoholic vaporizing devices.

Creates a new section of KRS Chapter 243 to ban the sale, purchase, or use of an alcohol vaporizing device for human consumption except by certain individuals and institutions; amends KRS 241.010 to define "alcohol vaporizing device"; and amends KRS 243.990 to provide penalties for violation of the new section of KRS Chapter 243 banning sale, purchase, or use of an alcohol vaporizing device.

**HB 204**

AN ACT relating to the transportation of persons.

Amends KRS 281.605 to exempt motor vehicles used in the transportation of persons 60 years of age or older or persons who are visually impaired from the provisions of KRS Chapter 281 relating to the regulation of motor carriers; requires the motor vehicles being used to be owned by or operated on behalf of a nonprofit organization exempt under Section 501(c)(3) of the Internal Revenue Code; and establishes insurance requirement for the motor vehicles.

**HB 211**

AN ACT relating to crimes and punishments.

Amends KRS 510.110, relating to sexual abuse in the first degree, to prohibit any person over the age of 21 from subjecting a minor under the age of 16 to sexual contact or engaging in masturbation in the minor's presence; prohibits any person over the age of 21 from engaging in certain sex acts while communicating with a minor under the age of 16 using an electronic communication device; prohibits a person in a position of authority or special trust from engaging in the same prohibited acts with a minor under the age of 18; makes these acts Class D or Class C felonies, depending on the age of the victim; amends KRS 510.120, relating to sexual abuse in the second degree, to prohibit any person who is 18 to 20 years old from subjecting another person who is less than 16 to sexual contact; creates a defense when the accused and the other person are close in age and the sexual contact was otherwise consensual; amends KRS 510.130, relating to sexual abuse in the third degree, to create a defense when the accused is less than 18 years old, the other person is close in age to the accused, and the sexual contact was otherwise consensual; amends KRS 620.030 to provide an exception under the duty to report dependency, neglect, and abuse for communications between an attorney and client and between a priest and penitent; increases penalties for intentionally failing to report that a child is dependent, neglected, or abused; amends KRS 620.990 to conform; and amends KRS 500.050 to

increase the criminal statute of limitations for misdemeanor sexual offenses when the victim is under the age of 18.

**HB 227**

AN ACT relating to the burial of indigent veterans.

Creates new sections of KRS Chapter 40 to establish an Indigent Veterans' Burial Program and an Indigent Veterans' Burial Trust Fund; requires the Department of Veterans' Affairs to oversee the Indigent Veterans' Burial Trust Fund; requires the Department of Veterans' Affairs to promulgate administrative regulations to implement the Indigent Veterans' Burial Program; requires the Department of Veterans' Affairs to coordinate with the Department of Military Affairs and the veterans' service organizations to determine the eligibility of an indigent veteran for the Indigent Veterans' Burial Program; and requires the Department of Veterans' Affairs to coordinate the Indigent Veterans' Burial Program with the Department of Military Affairs, the veterans' service organizations, Kentucky Association of Cemeteries, and the Kentucky Funeral Directors' Association.

**HB 233**

AN ACT relating to plastic containers.

Provides that a plastic container with layers of resin that are different from the primary resin of the bottle may be labeled as is the primary code of the bottle if a letter from the Association of Postconsumer Plastic Recyclers (APR) confirms that the bottle meets or exceeds both the APR Critical Guidance Document and the APR General Guidance Document bottle-to-bottle protocol.

**HB 239**

AN ACT relating to special license plates.

Amends KRS 186.041 to allow persons eligible for a Gold Star Spouses license plate to receive up to two plates annually for vehicles they own or lease; amends KRS 186.162 to make spouses eligible for Gold Star Spouses license plate and exempt from fees; and amends KRS 186.164 to make mothers and spouses eligible for membership in Gold Star Mothers of America or Gold Star Wives of America associations eligible for license plates.

**HB 258**

AN ACT relating to corporation income tax and limited liability entity tax.

Creates a new section in KRS Chapter 141 to provide that the sales factor of the corporation income tax apportionment formula includes only the net gain from treasury function transactions instead of the gross proceeds from the sale of the investments, and that the property, payroll, and sales factors of the corporation income tax apportionment formula of passenger airlines is calculated based on revenue passenger miles; makes conforming changes to KRS 141.0401 clarifying that Kentucky gross receipts for purposes of the limited liability entity tax are computed using the numerator of the sales factor under the applicable provisions of KRS 141.120(8)(c) and KRS 141.120(9) and includes the new provisions related to treasury function transactions and passenger airlines; and makes conforming changes to KRS 141.120 to modify the definition of "sales" for corporation income tax apportionment purposes.

**HB 259**

AN ACT relating to long-term care insurance.

Creates new sections of Subchapter 14 of KRS Chapter 304 to establish the Kentucky Long-Term Care Partnership Program upon approval of a Medicaid waiver to disregard assets, resources, and estate recovery requirements of the Medicaid program in a \$1-to-\$1 amount; permits Medicaid eligibility with disregards upon the exhaustion of the benefits of the partnership policy; requires the Office of Insurance and the Department for Medicaid Services to jointly establish the program; defines policy terms and services covered; specifies reporting requirements; requires assurance that agents who sell partnership policies understand the partnership policy; requires promulgation of administrative regulations; requires that each insurer or agent soliciting or offering to sell a partnership policy must provide each prospective applicant a Partnership Program Notice disclosing the availability of the program and outlining the requirements and benefits of a partnership policy; creates a new section of KRS Chapter 205 to require the Department for Medicaid Services to apply for a federal waiver to establish the partnership program; requires notice of waiver submission and response; requires the Department for Medicaid to provide assistance with training materials reporting requirements; and requires reports to Interim Joint Committees on Banking and Insurance and Health and Welfare.

**HB 277**

AN ACT relating to a property tax exemption for broadcasting equipment.

Amends KRS 132.200 to clarify the local property tax exemption for radio and television equipment; and extends the exemption of broadcast equipment to include radio and television broadcast towers and weather equipment; and applies to assessments made on and after January 1, 2009.

**HB 284**

AN ACT relating to disabled veterans.

Amends KRS 132.810 to exempt veterans of the United States Armed Forces with a 100 percent service-connected disability from having to file paperwork with property valuation administrators annually.

**HB 293**

AN ACT relating to fire district boundaries.

Amends KRS 75.020 to provide that if a KRS Chapter 75 fire district is expanding its territory into a KRS Chapter 273 fire department, an agreement must be entered into between the two, notice must be sent to the county judge/executive, and two newspaper advertisements must be published with the last no later than 7 days before the date fixed in the notice to expand the territory; provides that if the trustees of the fire protection district cannot agree with the leadership of the nonprofit fire department for the annexation of territory to the fire district that is, at the time of the annexation, part of the nonprofit fire department's territory, the annexation process may continue if 51 percent of the real property owners' signatures in the territory are secured in a petition.

**HB 316**

AN ACT relating to basic health benefit plan coverage of mammograms.  
Amends KRS 304.17-096 to require basic health benefit plans to include mammograms.

**HB 319**

AN ACT relating to voluntary agreements for the demolition or removal of dilapidated buildings.

Creates a new section of KRS Chapter 381 relating to voluntary agreements between a county and a property owner for the demolition or removal of dilapidated buildings; defines or identifies certain terms and conditions for inclusion in voluntary agreements for demolition or removal; requires notice to all property owners contiguous to the property on which the dilapidated building exists that the building is to be demolished or removed; and prohibits county officials or employees or relatives of county officials or employees from any interests relating to an agreement for the demolition or removal of dilapidated buildings.

**HB 321**

AN ACT relating to public employee health insurance plans.  
Amends KRS 18A.2254 to clarify content and filing dates of administrative regulations for the Public Employee Health Insurance Program, to authorize the Finance and Administration Cabinet's use of surplus funds to pay prior year claims for the Public Employee Health Insurance Program in the event of an emergency, to require that the General Assembly and the governor be notified if surplus funds are used to pay prior year claims, and to clarify content and procedures for reporting requirements for the Public Employee Health Insurance Program.

**HB 322**

AN ACT relating to land use planning.  
Amends KRS 100.193 and 100.197, relating to legislative bodies and fiscal courts action upon land use planning goals, objectives, and elements of comprehensive plans, to provide a 90-day period for action upon such proposals.

**HB 324**

AN ACT relating to coroners.  
Amends KRS 64.185 to allow coroners to appoint additional deputy coroners with the approval of the local legislative body of the county; and includes various forms of local governments within purview of entire section.

**HB 328**

AN ACT relating to the practice of pharmacy.  
Creates new sections of KRS Chapter 315 requiring pharmacy technicians to register; establishes qualifications; provides exemptions; establishes a \$25 application and renewal fee; establishes grounds for the denial of a certificate of registration; permits an applicant who is denied a certificate of registration to have a hearing pursuant to KRS Chapter 13B; requires that a technician's certificate be conspicuously displayed in the technician's primary place of employment and that the technician keep on his or her person during work times his or her pocket registration card; and amends KRS 315.125, 315.005, 315.020, 315.121, 315.030, and 315.191 to conform.



**HB 330**

AN ACT relating to special meetings.

Amends KRS 61.828 relating to notice of meetings of public agencies to permit notice of a special meeting to be sent by electronic mail in lieu of other methods if so requested by a public agency member or media organization.

**HB 334**

AN ACT relating to insurance producers.

Amends KRS 304.9-350 to prohibit an individual or business entity dually licensed as a consultant and an agent from selling, soliciting, or negotiating insurance or otherwise acting as an agent with respect to the insurance risk of the insured or prospective insured that was the subject of a written consulting contract during the term of the contract or within 12 months after expiration of the contract but not less than 24 months from the inception of the contract; prohibits an agent who has a financial or business ownership interest or affiliation with the consultant acting as such pursuant to a written consulting contract from selling, soliciting, or negotiating insurance with respect to the insurance risk of the insured or prospective insured that was the subject of a consulting contract during the term of the contract or within 12 months after expiration of the contract but not less than 24 months from the inception of the contract; permits consulting fees paid to a consultant pursuant to a written consulting contract to be shared between a business entity licensed as a consultant and an individual who is licensed as a consultant and is an owner, officer, partner, member, or employee of the business entity; prohibits a licensed consultant from receiving any fee or commission or anything of value for examining, appraising, reviewing, or evaluating any insurance policy, bond, annuity, or pension or profit-sharing contract, plan, or program or for making recommendation or giving advice unless such compensation is based upon a prior written consulting contract; requires the consultant prior to providing services to disclose in a written contract the services to be provided, the beginning and ending date of the agreement, any insurance to which the contract applies, the arrangement for compensation of the consultant, whether the consultant is dually licensed as an agent, and whether the consultant has a financial or business ownership interest in or affiliation with or controls any business entity or insurer; requires a copy of the written consultant contract to be retained by the consultant for not less than 5 years after expiration of the contract; prohibits a person dually licensed as a consultant and an agent from acting as both a consultant and an agent as to any risk which is the subject of a written consultant contract; provides that this section does not prohibit an agent who holds some form of formal financial planning certification or designation from receiving a fee for services provided under the certification and from receiving a commission for sale, solicitation, or negotiation of life insurance or annuities if prior to providing financial planning services, the agent makes certain disclosures in a written contract, and prior to execution of the written agreement or solicitation of the sale of a product or service the agent discloses that he or she is an agent and a commission will be received in addition to a fee for financial planning, if applicable; creates a new section of KRS 304.11-020 to 304.11-050 to define terms including "client" as a person who purchases insurance covering the business operations and exposures to loss of that person and who has entered into an agreement with an agent pursuant to a written disclosure agreement and who meets certain measures pertaining to assets of the business, total sales or revenues, total number of eligible employees, and annual insurance premiums; permits an agent to receive from an insurer or client compensation in any amount agreed to by the agent and the insurer or client for placement of

insurance and for a service rendered on behalf of the client if prior to placement of insurance or provision of service the agent and client enter into a written disclosure agreement; establishes requirements for the written disclosure agreement; requires the agent to verify prior to sale, solicitation, or negotiation with the client that the person qualifies as a client; permits an agent operating under a written disclosure agreement with a client to use an authorized property and casualty insurer, an unauthorized property and casualty insurer, and only an authorized life, health, or workers' compensation insurer; requires the insurer to comply with applicable rate and form filing requirements; permits an agent placing business for a client to provide for alternative compensation in a written disclosure agreement; clarifies that this section does not apply to personal lines of insurance issued for personal or family protection to a person; amends KRS 304.12-100 to provide that compensation disclosed in a written disclosure agreement with a client shall not be construed as a violation of provisions in the insurance code that prohibit unfair discrimination, rebates, and illegal inducements; provides that such insurance code provisions are not violated by furnishing information, advice, programs or services that are intended to reduce the future cost of insurance of the policyholder or the probability or severity of loss and assist in the efficient administration and management of the policyholder's insurance program or assist the client in complying with any state or federal law; and amends KRS 304.99-025 to provide that if an agent or consultant is found to be in violation of Section 1 by the executive director after a hearing, the executive director may impose a fine in the amount of the agent's fees or commissions received with the sale of the product which is subject of the violation.

#### **HB 348**

AN ACT relating to life settlements.

Amends KRS 304.15-020 to define "advertisement," "financing transaction," "life expectancy," "premium finance loan," "purchaser," "settled policy," and "stranger-originated life insurance"; amends KRS 304.15-700 to prohibit an insurer that is the subject of a life settlement contract from being responsible for any act or omission of a broker, purchaser, or provider unless the insurer receives compensation for the placement of the life settlement contract from the broker, purchaser, or provider; prohibits an insurer from requiring the owner, insured, provider, or broker to sign any form, disclosure, consent, waiver, or acknowledgment that has not been expressly approved by the executive director of the Office of Insurance; creates a new section of KRS 304.15-700 to 304.15-725 to regulate advertisements pertaining to life settlements; amends KRS 304.15-710 to add disclosures that a provider must provide to an owner; requires the broker to make certain disclosures to the provider and owner; creates a new section of KRS 304.15-700 to 304.15-725 to permit an insurer to inquire in the insurance application whether the proposed owner intends to pay premiums with the assistance of financing from a lender who will use the policy as collateral to support the financing; permits the insurer to make disclosures to the applicant and insured if premiums are paid with the assistance of financing and permits the insurer to require certification from the applicant or insured about future sale of the policy, the sufficiency of the loan to pay premiums and costs, and that the borrower has an insurable interest in the insured; amends KRS 304.15-715 to prohibit an insurer from unreasonably delaying the change of ownership or beneficiary with any lawful life settlement contract; requires the provider to notify the insurer within 20 days after an owner executes a life settlement contract; requires a fee paid to a broker for services provided to an owner to be computed as a percentage of the offer obtained and not the face value of the policy; requires the broker to disclose to the owner anything of value paid or given to a broker which relates to a life settlement contract; amends

KRS 304.15-716 to provide exceptions to the prohibition of a person entering into a life settlement contract at any time prior to or at the time of application for issuance of a policy or within a 2-year period commencing with the date of issuance of the policy; amends KRS 304.15-717 to establish unlawful acts including to engage in any transaction, practice, or course of business the person knows or reasonably should have known that the intent was to avoid the notice requirements in the life settlement statutes; declares it is unlawful to issue, solicit, market, or otherwise promote the purchase of a life insurance policy for the purpose of or with a primary emphasis on settling the policy; declares that as to a life settlement contract or life insurance policy and a broker it is unlawful to knowingly solicit an offer from or effectuate a life settlement contract with or make a sale to any provider, financing entity, or related provider trust, or any insurer that is controlling or controlled by or under common control with such broker unless disclosed to the owner; declares as to any life settlement contract or life insurance policy and a broker it is unlawful to knowingly enter into a life settlement contract with the owner if anything of value will be paid to the broker or provider that is controlling or controlled by or under common control with such provider or financing entity or related provider trust that is involved in such life settlement or any insurer unless disclosed to the owner; declares as to a provider it is unlawful to enter into a life settlement contract unless the promotional and advertising materials have been filed with the executive director; declares as to a insurance company or producer or broker or provider or any other person it is unlawful to make a statement or representation to the applicant or policyholder that the insurance is free or without cost to the policyholder; declares it is unlawful for an insurer to discriminate in rates based upon a individual's having entered into a life settlement contract or being insured under a settled policy; declares it is unlawful for an insurer to make any false or misleading statement as to the business of life settlements or financing premiums due for a policy or to any owner or insured for the purpose of inducing or tending to induce the owner or insured not to enter into a life settlement contract; declares it is unlawful for an insurer to engage in any transaction or act or practice which restricts or limits or impairs the lawful transfer of ownership or change of beneficiary or assignment of a policy; provides that antifraud plans submitted to the executive director are privileged and confidential and not a public record; creates a new section of KRS 304.15-700 to 304.15-725 to require each provider to file an annual statement with the Office of Insurance providing information required by administrative regulations; requires the annual statement of providers to include the names of insurance companies whose policies have been settled; creates a new section of Subtitle 14 of KRS Chapter 304 to provide that except as provided in KRS 304.14-050, it is a violation of insurable interest for any person or entity without insurable interest to provide or arrange for the funding ultimately used to pay premiums, or the majority of premiums, on a life insurance policy and at policy inception have an arrangement for such person or entity to have an ownership interest in the majority of the death benefit of that life insurance policy; and amends KRS 304.2-160, 304.4-040, 304.9-133, 304.9-150, 304.9-170, 304.0-200, 304.9-260, 304.9-425, 304.9-440, 304.9-467, 304.15-705, 304.15-718, 304.15-720, 304.42-190, 304.99-020, 304.99-100, and 304.99-126 to conform.

**HB 365**

AN ACT relating to compensatory leave time for local government employees.

Amends KRS 337.285, relating to compensatory leave time, to include city employees in these requirements.



### **HB 366**

AN ACT relating to self-contained storage units.

Amends KRS 359.200 to define a “self-contained storage unit,” a term that includes space leased from an operator whether the unit is located at self-service storage facility or at another location; includes self-contained storage units in the definitions of “leased space,” “occupant,” and “operator” as they relate to self-service storage facilities; amends KRS 359.210 to forbid the use of leased space in a self-contained storage unit as a residence; amends KRS 359.220 to indicate that an operator has a lien on all personal property stored in any leased space in an occupant’s self-contained storage unit; and amends KRS 359.230 to include self-contained storage units in the rules and procedures for a lienholder’s sale of personal property held in a nonresidential leased space.

### **HB 369**

AN ACT relating to perpetual care and maintenance.

Amends KRS 367.952, relating to cemetery perpetual care and maintenance funds, to exempt local governments from these requirements.

### **HB 370**

AN ACT relating to elections.

Amends KRS 118.245 to eliminate the runoff primary for gubernatorial slates; and amends various sections to conform.

### **HB 371**

AN ACT relating to trauma care and making an appropriation therefor.

Creates new sections of KRS Chapter 211 for legislative findings regarding the need for a trauma care system; defines “trauma,” “trauma center,” and “trauma center verification”; establishes a statewide trauma care program in the Department for Public Health and specifies goals and duties; requires an advisory committee and specifies membership; requires the department to develop and implement a statewide trauma care system that includes prevention, continuing education for care providers, statewide guidelines and protocols, voluntary hospital verification as a trauma center, local and regional triage and transport protocols, and quality assurance and peer review; requires the Department for Public Health to coordinate all activities related to trauma care and to receive assistance from other state agencies and boards; specifies that data obtained by the trauma registry be confidential and not subject to discovery or introduction in civil action; permits the department to promulgate administrative regulations; establishes the Kentucky trauma care system fund consisting of appropriations, grants, or contributions made available and specifies uses of the fund; specifies that positions of state trauma care director and state trauma registrar and costs associated with meetings shall be funded by federal funds if available; requires trauma director and the advisory committee to develop the trauma system; specifies the Department for Public Health or the trauma director to coordinate activities with the advisory committee; requires the statewide trauma director to report on status of the statewide system; and creates a new section of KRS Chapter 205 to prioritize the use of any additional Medicaid moneys for supplemental payments toward reimbursement for full allowable costs for services provided to Medicaid patients by verified trauma centers and physicians.

**HB 373**

AN ACT relating to the debt limit of the Kentucky Housing Corporation.

Amends KRS 198A.090 to increase the bonding authority of the Kentucky Housing Corporation from \$2,500,000,000 to \$5,000,000,000.

**HB 384**

AN ACT relating to the Kentucky Unified Juvenile Code.

Creates new provisions within the Unified Juvenile Code defining a “nonoffender” as a child that is the victim of dependency, neglect, or abuse, and prohibits the detention of a nonoffender unless there is a separate action alleging that the child has violated other provisions of law; amends KRS 244.085 and 244.990 to provide that the violation of specified alcoholic beverage statutes by a child shall be a status offense; establishes requirements which must be met before a status offender may be detained; provides that the Department of Juvenile Justice shall develop and implement a process to notify the Department for Community Based Services when a status offender has been detained; and makes technical and conforming amendments to various sections of the Kentucky Revised Statutes.

**HB 385**

AN ACT relating to the Board of Housing, Buildings and Construction.

Amends KRS 198B.020 to add a new member representing the Kentucky Building Material Association to the Board of Housing, Buildings and Construction; amends KRS 198B.560 to prohibit any person, other than a fire protection sprinkler contractor’s certificate holder or licensee, from engaging in the preparation of technical drawings, installation, repair, alteration, extension, maintenance, or inspection of fire sprinklers unless supervised by a certificate holder or licensee; amends KRS 198B.610 to require that the official authorized to issue building or other permits ascertain that the fire sprinkler contractor is duly licensed before the contractor begins design, installation, repair, alteration, extension, maintenance, or inspection of fire protection sprinkler systems; amends KRS 198B.620 to increase the upper cap of an administrative fine from \$500 to \$2,000; establishes that any person who practices without a license or holds himself out as a fire sprinkler contractor is guilty of a Class A misdemeanor; amends KRS 198B.625 to require that the executive director inform the attorney general of unlawful practice within 7 days of receiving notice of the unlawful practice; permits the executive director to impose an administrative fine for licensees who violate a cease and desist order; changes the venue where the attorney general may apply for an order enjoining unlawful acts relating to fire protection sprinkler contractors from the Franklin Circuit Court to the Circuit Court in the county where the violation occurred; declares that any resulting order of the Circuit Court is enforceable and valid throughout the state and is subject to the Rules of Civil Procedure; and repeals KRS 198B.575.

**HB 388**

AN ACT relating to health care practitioners.

Amends KRS 186.042 to add advanced registered nurse practitioners to those who may submit a statement of disability for a handicapped parking permit; and amends KRS 189.456 to require that any information contained on disability placards be written in indelible ink or inscribed in permanent fashion to prevent tampering information on placards.

### **HB 389**

AN ACT relating to the Commission on Fire Protection Personnel Standards and Education.

Amends KRS 95A.080 to make the Fire Commission solely responsible for the issuance of certified volunteer firefighter identification cards; reduces fee from \$9 to \$5; requires proof of legal status for identification card; amends KRS 95A.040 to require administrative regulations concerning proof of literacy, legal United States residency, age, and integrity for volunteer firefighters; amends KRS 95A.060 to remove reference to Office of Housing, Buildings and Construction; and amends KRS 95A.262 to remove reference to Office of Housing, Buildings and Construction.

### **HB 393**

AN ACT relating to motor vehicle renting companies.

Creates a new section of KRS Chapter 281 to define the terms “motor vehicle renting company,” vehicle license cost,” and “vehicle license cost recovery fee”; requires that if a vehicle license cost recovery fee is charged on a rental transaction, the fee shall be a good-faith estimate of the company’s daily charge to recover its vehicle licensing cost; provides that if the vehicle cost recovery fees collected in a calendar year exceed the actual vehicle licensing costs, then the company shall retain the excess and adjust the following year’s fees accordingly; and clarifies that there is not a prohibition against a company from including or making adjustments to a fee charged during the calendar year.

### **HB 405**

AN ACT relating to child support.

Amends KRS 186.570 to reduce the amount of child support arrearage necessary to suspend operator’s license; amends KRS 205.721 to establish the annual fee, pursuant to federal law, in child support collection actions; amends KRS 205.712 to reduce the amount of child support arrearage necessary to commence process for suspension of passports; and amends KRS 413.090 to provide for tolling of statute of limitations for the collection of unpaid child support arrearages.

### **HB 406**

AN ACT relating to appropriations and revenue measures providing financing and 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.

Provides funding of \$3.5 million for Energy Research and Development projects including \$1 million for carbon management research to be matched with federal or private funds; provides veterans’ service organizations \$100,000 each year to train individuals to assist veterans in getting the federal benefits they are due; provides for enhanced nursing home services through a partnership with the University of Louisville; provides funding for the veterans’ nursing home in Radcliff; provides funds to open the Veterans’ Cemetery Northeast and to complete the first and second phase of the construction of the veterans’ cemetery in Greenup County; provides funding for the Kentucky Medal for Freedom Program; provides funding to ensure that indigent veterans get a proper burial and that all veterans have access to the Veterans’ Burial Honors program; provides for \$10 million in Bond Funds for the Kentucky

Agriculture Heritage Center and debt service from General (Tobacco) Funds; ~~[provides around \$2 million each fiscal year for disbursement to Area Development Districts for water management planning services and maintenance of the Water Resource Information System;]~~*(this provision was vetoed in accordance with veto item #1)*; provides authorization for the Kentucky Infrastructure Authority to issue \$30 million in Agency Bonds for the Drinking Water Revolving Loan Program (Fund F) and \$200 million in Agency Bonds for the Wastewater Revolving Loan Program (Fund A); provides funds to repair and continue the Flood Warning System; provides \$150,000 each year for grants to local search and rescue programs; provides \$3 million to purchase land for a new National Guard Armory in northern Kentucky; provides an additional \$500,000 each year for maintenance for existing National Guard facilities; increases General Fund support totaling \$100,000 in each fiscal year to partially restore baseline funding for personnel expenses; provides additional General Fund support of \$320,000 in each fiscal year for the Joint Funding Administration grant; provides funding of \$40.9 million in fiscal year 2009 and \$40.9 million in fiscal year 2010 from the Local Government Economic Development Fund and LGEDF Multi-County Fund for the following programs and projects: Read to Achieve Program (\$3 million each fiscal year), School Technology (\$2.5 million each fiscal year), Mining Engineering Scholarship Program (\$300,000 each fiscal year), Flood Control Matching Program (\$800,000 each fiscal year), School Facilities Construction Commission debt service (\$4.6 million each fiscal year), Robinson Scholars Program (\$1 million each fiscal year), Water and Sewer Bond Fund projects for Coal Producing Counties debt service for prior year projects (\$19.6 million in fiscal year 2009 and \$19.7 million in fiscal year 2010), Kentucky Infrastructure Authority (\$370,000 each fiscal year), Kentucky Community Development Office (\$669,700 each fiscal year), Tourism Marketing (\$500,000 each fiscal year), Drug Courts (\$1.8 million each fiscal year), Energy Research Development (\$3.5 million each fiscal year), Operation UNITE (\$2 million each fiscal year), and 12 Multi-County Regional Industrial Park Authorities (\$200,000 each fiscal year); provides General Fund support to maintain the enacted fiscal year 2008 budget in each fiscal year for Commonwealth's and county attorneys; provides \$250,000 each fiscal year for inspectors of amusement parks and attractions; provides \$3 million in Bond Funds for animal shelters in fiscal year 2009; provides funds to complete the conversion to a new computer system so that new retirement programs can be implemented that will benefit both former employees and employers in the system; authorizes the School Facilities Construction Commission to make \$150 million in offers of assistance for school construction in anticipation of debt service in the 2010-2012 biennium; provides for the use of local district capital outlay funds ~~[, if the district's general fund carryover in the prior fiscal year is less than two percent]~~ *(this provision was vetoed in accordance with veto item #2)*; provides funds in each fiscal year to support Outdoor Drama Grants; provides \$1.5 million in fiscal year 2009 for the 2008 Ryder Cup; provides \$350,000 in each fiscal year in Road Fund support; provides \$500,000 in each fiscal year to support tourism marketing and development in coal-producing counties; \$50,000 in each fiscal year for the Bluegrass State Games; provides a \$5 million current year General Fund appropriation for park operations; provides debt service to support \$4 million in Bond Funds for a maintenance pool; provides \$10.3 million in Road Funds for Kentucky Horse Park roads; provides debt service to support \$2 million in Bond Funds for an upgrade of HVAC systems; provides \$3 million in each fiscal year to restore base reductions; authorizes \$1 million in Restricted Funds for the land acquisition pool; authorizes \$9 million in Bond Funds for the Center for the Arts renovation; provides \$420,800 in each fiscal year for the Louisville Waterfront Development Corporation; ~~[provides \$1.2 million in each fiscal year to administer~~



~~the ConnectKentucky program;~~ *(this provision was vetoed in accordance with veto item #3)*; provides debt service to support \$50 million in Economic Development Bond Funds for Base Realignment and Closure (BRAC) activities; provides \$1.9 million in each fiscal year to support the Metropolitan College program; includes \$2 million in Bond Funds for a renovation of the FFA Leadership Training Center; includes \$4 million for the second phase of the Student Data Management System; includes \$2.5 million in each fiscal year from the Local Government Economic Development Fund to continue the Coal County Computing Project; provides additional General Fund support of \$400,000 in each fiscal year for Safe Schools; includes additional General Fund support of \$12.6 million in each fiscal year for textbooks to restore base reductions in the program; includes additional General Fund support of \$1.5 million in each fiscal year from the Local Government Economic Development Fund to maintain current funding levels for the Read to Achieve Program (\$3 million per year); includes additional General Fund support of \$250,000 in each fiscal year for the Georgia Chaffee Teenage Parent Program; includes additional General Fund support of \$38.2 million in fiscal year 2009 and \$76 million in fiscal year 2010 for the Support Education Excellence in Kentucky program; includes additional General Fund support of \$1.4 million in fiscal year 2009 and \$2.3 million in fiscal year 2010 to support school facilities equalization programs; includes language identifying \$192,200 of General Fund support in each year for the East Kentucky Science Center; includes additional General Fund support of \$100,000 in the current fiscal year and each year of the biennium to keep services at the current level; includes language directing the Department for Libraries and Archives to collaborate with public colleges, universities, and libraries to explore alternatives to meet the archival needs of the state; includes General Fund support of \$255,000 in both fiscal years for debt assistance grants for existing construction; includes additional General Fund support of \$150,000 in both fiscal years for grants to local public libraries; provides additional General Fund support of \$1.1 million in each year to leverage federal funds and identifies \$450,000 in each year for interpreting services at Kentucky's postsecondary institutions; provides an additional \$3 million each fiscal year for mine safety; provides \$14.7 million each fiscal year for the Kentucky Pride program; provides \$250,000 each fiscal year for tree nursery programs in Morgan and Marshall Counties ~~[which shall maintain normal business operations]~~ *(this provision was vetoed in accordance with veto item #4)*; ~~[prescribe horse racing fees and assessments;]~~ *(this provision was vetoed in accordance with veto item #5)*; provides an additional \$50,000 each fiscal year for the Mine Safety Review Commission; restores the baseline of the Nature Preserves Commission; provides \$1.1 million in fiscal year 2009 and \$2.1 million in fiscal year 2010 in Restricted Funds support for the HVAC Permitting and Inspection program; ~~[require the Secretary of the Finance and Administration Cabinet to convey certain property interest to Kenton County;]~~ *(this provision was vetoed in accordance with veto item #6)*; institutes efficiency measures within the Finance and Administration Cabinet, including mandating legislative oversight of the Computer Services Fund, and limiting permanently assigned vehicles from the State Motor Pool; provides \$1 million in each year of the biennium to maintain current staffing levels; provides additional General Fund support totaling \$3 million in fiscal year 2009 and \$1.8 million in fiscal year 2010 for personnel expenses; directs the cabinet to fill all federally funded positions to improve services to the citizens of the Commonwealth; adds \$100,000 for the services of the commission; provides \$5.1 billion in fiscal year 2009 and \$5.4 billion in fiscal year 2010 to serve more than 722,000 eligibles in each fiscal year; provides \$1.6 billion additional funds (\$479 million General Fund) to Medicaid benefits over the biennium to continue current services; provides more than \$107 million in each

fiscal year to continue the Kentucky Children's Health Insurance Program for 52,000 children; provides an additional \$2.7 million in fiscal year 2009 and \$6.4 million in fiscal year 2010 for 100 additional (50 each fiscal year) Supports for Community Living slots; directs that Disproportionate Share Hospital (DSH) Payments shall equal the federal maximum, which is projected to be \$195 million each fiscal year; provides an additional \$6.5 million in fiscal year 2009 and \$18.8 million in fiscal year 2010 to support 150 slots over the biennium for the Acquired Brain Injury Long-Term Care waiver; provides an additional \$17.5 million in each fiscal year to address the Michelle P. Waiver program; provides an additional \$13 million in each fiscal year to support enhanced payments to an urban trauma center hospital; provides language directing process for the construction of a \$129 million replacement facility for Eastern State Hospital; restores \$10 million in General Fund support in each fiscal year to the base, and provides an additional \$6.1 million in General Fund support in fiscal year 2009 and \$4.9 million in fiscal year 2010 to continue current residential, community mental health, and crisis stabilization services that are vital to the health and safety of the citizens of the Commonwealth; provides language allowing the construction of Hazelwood Intermediate Care Facility for the mentally retarded/developmentally disabled to relocate beds and patients from the Bingham unit at Central State Hospital; provides language directing that the cabinet submit a plan to replace Glasgow State Nursing Facility; provides DSH funding totaling \$34.3 million in each fiscal year for state mental hospitals; restores General Fund support of \$8.5 million in fiscal year 2009 and \$8.5 million in fiscal year 2010 so that local and district health departments can continue direct services and so that central office units can provide the require support and administration of statewide program vital to the health and safety of the citizens of the Commonwealth; provides language to ensure that all preventive services provided to Medicaid recipients by local health departments are paid for through Medicaid; provides \$400,000 in fiscal year 2009 and \$600,000 in fiscal year 2010 to begin the statewide Kentucky Prescription Drug Patient Assistance Program to assist seniors and others in need to access free or low-cost prescription drugs and to make grants to local partners to encourage this effort; restores \$500,000 so that local service partners will not be faced with funding reductions that impact the safety net services; restores General Fund support at the base level totaling \$18.9 million in fiscal year 2009 and \$19.5 million in fiscal year 2010 to continue and maintain more than 1,700 front-line social workers, out-of-home care services for court-committed children, and private child care provider reimbursement rates; provides \$91,000 in debt service in fiscal year 2009 to support \$2 million in Bond Funds for Brooklawn Child and Family Services; restores \$2.9 million each year for grants that provide Meals on Wheels, adult day care, personal care, and other vital senior services; includes various non-codified provisions relating to the terms and conditions of incarceration, probation, and parole; provides \$200,000 in additional funds each fiscal year to the Parole Board to increase the number of members from seven full-time members to nine full-time members; provides \$2 million in Restricted Funds in each fiscal year from coal severance money to the Office of Drug Control Policy for Operation UNITE; provides \$1.8 million in Restricted Funds in each fiscal year from coal severance money to the Office of Drug Control Policy to support regional drug courts in coal-producing counties; continues the payment of \$3,100 annual stipends for Kentucky state troopers, arson investigators, hazardous devices investigators, legislative security specialists, and Kentucky vehicle enforcement officers; provides an increase of \$3 million in fiscal year 2009 and \$5 million in fiscal year 2010 to allow continuation of current services; provides an increase of \$4 million in fiscal year 2009 and \$6 million in fiscal year 2010 to allow continuation of current services; provides \$4.5 million in General Fund in



fiscal year 2009 and \$5 million in fiscal year 2010 to provide drug treatment programs for state felons housed in local jails and for substance abusers that have been charged with felony offenses; provides an increase of \$1.9 million in General Fund support in each fiscal year to support the county jails; provides an increase of \$2.5 million in General Fund support in fiscal year 2010 to assist in the defense of indigent persons accused of criminal offenses; provides an increase of \$601,000 each year of the biennium for the Lexington Public Defenders' Office; [~~provides that no funds shall be distributed from the Kentucky Retirement System Employer Contribution Supplement of the State Salary and Compensation Fund unless the 2008 General Assembly adopts the provisions contained in 08 RS HB 600/SCS;~~] (*this provision was vetoed in accordance with veto item #7*); provides \$95 million in General Fund appropriations in fiscal year 2009 and \$105 million in fiscal year 2010 toward the restoration base funding of public postsecondary institutions; provides for additional funding above the Governor's proposed budget for Eastern Kentucky University, Kentucky State University, Morehead State University, Murray State University, Northern Kentucky University, University of Kentucky, University of Louisville, Western Kentucky University, and the Kentucky Community and Technical College System (KCTCS); provides \$3 million in fiscal year 2009 and \$6 million in fiscal year 2010 to KCTCS for the maintenance and operation of new facilities; provides \$60 million in Bond Funds for the Bucks for Brains programs; provides \$33.3 million from the Research Challenge Trust Fund for the University of Kentucky, \$16.7 million for the Research Challenge Trust Fund at the University of Louisville, and \$10 million for the Regional University Excellence Trust Fund, to be shared by Kentucky's regional universities; provides \$20 million in Bond Funds for the University of Kentucky Livestock Disease Diagnostic Center (Tobacco Funds debt service), \$13.9 million in Bond Funds for the Capital Renewal and Maintenance Pool, \$5.7 million in Bond Funds for an emergency project at Morehead State University to replace the Power Plant Pollution Control System and Boiler Tube, \$4 million for site remediation for construction of a KCTCS Classroom/Laboratory building on the former Eastern State Hospital site, and \$2 million to the University of Kentucky to renovate 4-H Camps run by the UK College of Agriculture Cooperative Extension Service (Tobacco Funds debt service); authorizes 32 Agency Bond projects at Kentucky's public universities totaling \$406 million; provides a General Fund appropriation of \$82.2 million in fiscal year 2009 and \$84.5 million in fiscal year 2010 for the Kentucky Educational Excellence Scholarship program; provides a General Fund appropriation for the need-based College Access Program of \$60.3 million in each fiscal year, which maintains the current level of funding; provides a General Fund appropriation of \$32.5 million in each fiscal year for the need-based Kentucky Tuition Grant Program, which maintains the current level of funding; maintains the current level of General Fund support for the Teacher Scholarship Program at \$1.8 million in each fiscal year; provides full funding of the Kentucky National Guard Tuition Assistance Program of \$4.7 million in combined General and Restricted Funds in each fiscal year; provides a General Fund appropriation of \$850,000 in each fiscal year for the Work Study Program; provides \$300,000 in each fiscal year from coal severance General Funds for the University of Kentucky Mining Engineering Scholarship Program; provides \$1 million in each fiscal year from coal severance General Funds for the Robinson Scholars Program; provides a \$23.5 million General Fund appropriation in each fiscal year for adult education; provides an appropriation of \$4.3 million in fiscal year 2009 and \$4.4 million in fiscal year 2010 for the Southern Regional Education Board Contract Spaces Program; provides \$975,000 in General Fund (Tobacco) moneys in each year of the biennium for the Ovarian Cancer Screening Program at the University of Kentucky, which includes an additional \$200,000 each year to offer

specialized tests for women below 200 percent of the federal poverty level; provides \$100,000 in General Fund support in each fiscal year of the biennium for the Washington D.C. Internship Program; provides \$10.3 million in capital project funding for the Kentucky Horse Park roads in preparation for the FEI World Equestrian Championships; provides \$600,000 in capital project funding for parking infrastructure at the Kentucky Fair and Exposition Center for the 2008 Ryder Cup; authorizes a \$60 million Road Revenue Bond issue for projects included in the cabinet's Six-Year Aviation plan; provides a \$50 million Economic Development Road Revenue Bond issue in fiscal year 2010 to provide additional funds for the preconstruction phases of several roads in the vicinity of the army base at Fort Knox; ~~[provides that no Biennial Highway Construction Program funds be used to support the Kentucky Pride Fund; provides \$5 million of Road Fund support from the Highway Construction Contingency Account in each fiscal year for the Kentucky Pride Fund;]~~ *(this provision was vetoed in accordance with veto item #8)*; allows for up to \$4 million of Road Fund support in each fiscal year for the Economic Development Cabinet to utilize for industrial access roads; provides \$98,000 of Road Fund support for improvements to the Green River Ferry operation at Mammoth Cave National Park; provides \$286.1 million in fiscal year 2009 and \$316.5 million in fiscal year 2010 for the County, Rural Secondary, and Municipal Road Aid Programs; ~~[provides that Rural Secondary Program funds be used only for the construction, reconstruction, and maintenance of state-maintained secondary and rural roads;]~~ *(this provision was vetoed in accordance with veto item #9)*; provides \$1.8 million over the biennium for the Energy Recovery Road Fund; provides a \$25 million capital project for the replacement of the Automated Vehicle Information System (AVIS); provides \$7.8 million in fiscal year 2009 and \$4 million in 2010 for upgrades to computer equipment in the county clerks' offices for implementation of the new AVIS; includes standard language provisions for the capital projects budgets; includes the language provision to give the Governor flexibility in the first year of the biennium to move up to 10 percent between appropriation units; provides for \$373.8 million of expenditure reductions over the biennium from retirement window savings, debt service savings, debt restructuring, and efficiency measures; adjusts the amount expended from the Budget Reserve Trust Fund; mandates that the Lottery Corporation remit 28 percent of the gross receipts to the General Fund each fiscal year; provides for a 1 percent salary increment in both fiscal years for all state employees and all teachers (certified and classified); changes the General Fund amounts for fiscal year 2009 and fiscal year 2010 based on the enhanced revenue measures; provides language that if additional General Fund resources become available, state employees and school district employees will receive a salary adjustment of 1 percent and potentially an additional percent; provides for debt service for selected projects if General Fund moneys become available; directs additional moneys to the Budget Reserve Trust Fund; provides \$10 million of new tobacco-supported bonds for the Kentucky Agriculture Heritage Center; provides debt service for the Livestock Diagnostic Disease Center at the University of Kentucky; provides debt service for FFA Leadership Training Center; provides Ovarian Cancer language that reflects the new amounts; provides debt service for 4-H Camps; continues funding at the fiscal year 2008 levels for the Early Childhood Development Fund and the Agricultural Development Fund; reflects the spending totals; and provides authorization for the Insurance Coverage Affordability and Relief to Small Employers Program (I-CARE) ~~[; provides language that relates to BRAC]~~ *(this provision was vetoed in accordance with veto item #10)*.

### **HB 407**

AN ACT making appropriations for the operations, maintenance, and support of the Legislative Branch of the Commonwealth of Kentucky.

Appropriates from the General Fund \$52,712,900 for fiscal year 2009 and \$55,452,600 for fiscal year 2010; appropriates from Restricted Funds \$89,600 for fiscal year 2009 and \$217,000 for fiscal year 2010; appropriations are allocated as follows: General Assembly \$18,837,800 for fiscal year 2009 and \$19,680,200 for fiscal year 2010 and Legislative Research Commission \$33,964,700 for fiscal year 2009 and \$33,989,400 for fiscal year 2010.

### **HB 408**

AN ACT making appropriations for the operations, maintenance, support, and functioning of the Judicial Branch of the government of the Commonwealth of Kentucky and its various officers, boards, commissions, subdivisions, and other state-supported activities.

Provides \$7.8 million in Restricted Funds in fiscal year 2009 and \$8.2 million in fiscal year 2010 for pay increases for deputy clerks; provides \$50,000 for a memorial bust of the late Justice William McAnulty that will be displayed on the second floor of the Capitol; provides \$1.2 million in General Fund in fiscal year 2010 for 6 months of use allowance and for furnishings for the construction of new court facilities in Carlisle County in order to replace the previous facilities demolished by fire; provides \$14.6 million in additional General Fund support in fiscal year 2010 for use allowance and furnishings for new court facilities authorized in 2005 and 2006 that will become ready for occupancy during the second year of the biennium; authorizes the construction of new court facilities in Allen County-\$16 million, Bracken County-\$15.6 million, Carlisle County-\$12.9 million, Lawrence County-\$16.3 million, and Morgan County-\$16.3 million; provides \$2.5 million in additional General Fund in fiscal year 2009 and \$2.5 million in fiscal year 2010 to fund the Judicial Retirement as recommended by the actuarial assessment[; ~~establishes criteria for the layoff of Judicial Branch personnel~~](*vetoed in part*).

### **HB 410**

AN ACT relating to projects.

Amends KRS 42.4588 to provide that projects specifically authorized by the General Assembly shall be deemed approved and shall not be subject to the standard Governor's Office for Local Development (GOLD) application process; requires that upon receipt of a signed memorandum of agreement, GOLD shall release funds for an approved project; provides that funds appropriated for specific projects by the General Assembly shall not be used for any other purpose except in an emergency situation or extraordinary circumstance; amends the executive branch budget, 2008 Regular Session HB 406/EN, to provide authorization and funding for water and sewer projects; provides reauthorization and reallocation of previously approved water, sewer, and other projects; authorizes the issuance of Grant Anticipation Revenue Vehicle (GARVEE) bonds and appropriates the debt service therefor for the Louisville-Southern Indiana Ohio River Bridges Project; and authorizes and identifies specific coal severance tax projects from single-county coal funds.

### **HB 411**

AN ACT relating to weights and measures.

Amends KRS 363.330 to define "director"; requires the registration of weights and measures servicemen and service agencies; requires servicemen and service agencies to provide

proof that they are qualified to service weighing and measuring devices; increases the annual fee of servicemen from \$10 to \$20; increases the annual fee of service agencies from \$25 to \$50; allows the director to require competency testing of service individuals if the director deems it necessary; allows the director to promulgate administrative regulations; amends KRS 363.520 to update the name of the National Institute of Standards and Technology; amends KRS 363.590 to conform; and makes technical corrections.

**HB 415**

AN ACT relating to colon cancer screening.

Creates a new section of KRS Chapter 214 to define the terms “department” and “program”; establishes a colon cancer screening program within the Department for Public Health to provide screening services to uninsured individuals ages 50 to 64 and others at high risk; limits the program to the amount of funding available; provides that services may be undertaken by private contract or operated by the department; permits the department to accept grants or awards of funds from federal or private sources; requires the department to establish a data collection system; requires the promulgation of administrative regulations; establishes the Colon Cancer Screening Advisory Committee within the Kentucky Cancer Consortium; establishes the membership of the advisory committee; requires the advisory committee to provide recommendations for implementation and conduct of the colon cancer screening program; requires the advisory committee to establish and provide oversight for a colon cancer screening public awareness campaign; requires the Cabinet for Health and Family Services to contract with the Kentucky Cancer Consortium at the University of Kentucky to provide the required support; requires the amount of contracted services to be excluded from the base funding formula of the university as determined by the Council on Postsecondary Education; requires the advisory committee to provide an annual report on implementation, outcomes, and recommendations; requires the Kentucky Cancer Program to establish a colon cancer screening education and outreach program in each of the area development districts; requires the education and outreach program to focus on individuals who lack access to colon cancer screening; requires the Cabinet for Health and Family Services to contract with the University of Louisville and the University of Kentucky to provide the required support; and requires the amount of contracted services to be excluded from the base funding formula of the universities as determined by the Council on Postsecondary Education.

**HB 426**

AN ACT relating to theft by deception.

Amends KRS 514.040 relating to theft by deception to increase the merchant’s and the county attorney’s bad check collection fee from \$25 to \$50.

**HB 435**

AN ACT relating to local government financial obligations.

Creates a new section of KRS Chapter 65 to require a city, county, urban-county, consolidated local government, charter county, taxing district, or special district to notify the state local debt officer in writing before entering into any financing obligation, lease, bond issuance, or any long-term debt obligation when the lease price exceeds \$200,000; authorizes the state local debt officer to promulgate administrative regulations to develop the forms of notification; specifies information to be reported on form; specifies that no approval by the state



local debt officer shall be required; clarifies that any financing obligation entered into prior to the passage of this section shall be considered in compliance, if notification is provided to the state local debt officer no later than 1 year after the effective date of this Act; amends KRS 65.944 to delete language requiring notification in writing to the state local debt officer when a lease price exceeds \$100,000; makes technical changes; amends KRS 66.045 to conform; and repeals KRS 65.7719.

#### **HB 440**

AN ACT relating to health insurance.

Creates new sections of Subtitle 17A of KRS Chapter 304 to define terms; requires an insurer issuing a managed care plan to notify an applicant of its determination regarding a properly submitted application for credentialing within 90 days of receipt of application; creates exemption to the 90-day requirement if failure to complete credentialing process is due to acts or events beyond the control of the insurer issuing a managed care plan; requires the insurer to make payments to the applicant following credentialing for services rendered during the credentialing process in accordance with procedures for participating providers; requires reimbursement of an applicant denied credentialing in accordance with procedures for reimbursement to nonparticipating providers if the plan provides for out-of-network benefits; requires an insurer issuing a managed care plan to provide or make available to the provider upon request of the provider the payment or fee schedules or other information sufficient to enable the provider to determine the manner and amount of payments under the contract prior to final execution or renewal of the contract; requires an insurer issuing a managed care plan to provide or make available to the provider upon request of the provider an explanation of the methodology used to determine actual payment for procedures frequently performed by the provider that involve combinations of services or payment codes if actual payment cannot be determined from the fee schedule or other information provided to the provider; requires any change to the payment or fee schedules applicable to providers under contract with an insurer issuing a managed care plan to be made available to the providers at least 90 days prior to the effective date of the amendment; prohibits a provider from sharing the information with an unrelated person without prior written consent of the insurer; requires an insurer issuing a managed care plan who makes a material change to an agreement to provide the participating provider with at least 90 days written notice of the material change; permits a participating provider to withdraw from an agreement following notice of a material change if the provider sends written notice to the insurer no later than 45 days prior to the effective date of the material change; requires an insurer to provide to a provider at least 15 days notice of a change to existing prior authorization, precertification, notification, or referral program, or changes an edit program or specific edits; amends KRS 304.17A-254 and 304.17A-527 to conform; amends KRS 304.12-230 to deem it is an unfair claims settlement practice for an insurer to knowingly and willfully fail to comply with KRS 304.17A-714 on collection of claims overpayments from providers or to knowingly and willfully fail to comply with KRS 304.17A-708 on resolution of payment errors and retroactive denial of claims; creates a new section of Subtitle 17A of KRS Chapter 304 to require group health benefit plans that provide dependent benefits to offer the master policyholder two options to purchase coverage for an unmarried dependent child until age 19; provide the option for coverage of the unmarried dependent child until age 25 and provide another option for coverage until age 19 and from 19 to 25 if a full-time student; amends KRS

304.17-310 to require insurers offering family expense health insurance to offer the applicant the option to purchase coverage for unmarried dependent children until age 25.

**HB 457**

AN ACT relating to retirement.

Amends KRS 61.623 to provide retirees of the Kentucky Employees Retirement System, County Employees Retirement System, and the State Police Retirement System who are age 70 or older as of effective date of this Act with the choice of receiving benefit payments by check instead of direct deposit if the retiree files the appropriate forms by December 31, 2008; and provides that the Act shall be known as the "Clancy Barnes Act."

**HB 458**

AN ACT relating to physician assistants.

Amends KRS 311.860 to establish the requirements for nonseparate locations and allows the Kentucky Board of Medical Licensure to modify, decrease, or waive the requirements; prohibits a newly graduated physician assistant from practicing in a separate location until the physician assistant has 18 continuous months of experience in a nonseparate location; establishes the requirements to be met for a physician assistant to provide services in a location separate from the supervising physician.

**HB 470**

AN ACT relating to teacher retirement and declaring an emergency.

Amends KRS 61.680 to include reference to the Kentucky Teachers' Retirement System as one of the retirement systems in which nonelected employees may participate as appropriate; amends KRS 161.220 to specify that job classification experience substitution clauses only apply to employees of the Kentucky Department of Education who have a 4-year degree; excludes awards program from definition of "annual compensation"; amends KRS 161.310 to clarify retirement incentive; amends KRS 161.340 to require transfer of leave balances from the Kentucky Teachers' Retirement System to other executive department agencies; amends KRS 161.480 to specify procedures for designating beneficiaries and the effect of failure to make a designation; amends KRS 161.515 to specify that out-of-state teaching service is purchasable only at full actuarial cost; indicates retirement factors for purchase of out-of-state service; amends KRS 161.520 to specify procedures for account refunds, in lieu of survivor allowances, by parents, or legal guardians on behalf of their children; amends KRS 161.522 to specify that the spouse, only if designated as the primary beneficiary, is eligible for an actuarially equivalent annuity; specifies that an actuarially equivalent annuity is available only during the disability entitlement period; amends KRS 161.540 to clarify that the university retirement system includes not only faculty but staff as well; amends KRS 161.545 to specify that only leaves of absence granted during full-time employment are eligible for purchase; specifies that noncurrent leave may be purchased; amends KRS 161.553 to update funding schedule; amends KRS 161.580 to permit furnishing the summary plan description by posting on the Kentucky Teachers' Retirement Web site; amends KRS 161.600 to specify that a member may withdraw his or her retirement application, or change his or her retirement option, at any time up until the 15<sup>th</sup> day of the month for which the member has made application for retirement; amends KRS 161.605 to emphasize that nonqualified service credit, whether purchased from the Kentucky Teachers' Retirement System or the Kentucky Retirement System, shall not count toward the 30 years



needed to return to work at 75 percent of last annual compensation; permits out-of-state public school teaching services, grades kindergarten through 12, to count after verification toward the 30 years needed to return to work at 75 percent of last annual compensation, even if that out-of-state service is not purchased as service credit; provides that retirees can return to a local school district, without any impact on their retirement allowance, and earn a minimum amount equal to the base contract salary for the lowest rank and step on the salary schedule of the district in which they are returning to work; designates that return to work provisions apply to retirees who return in adjunct instructor positions; amends KRS 161.612 to specify that members providing part-time and substitute services participate in the retirement system; excludes minimum value benefit adjustments; amends KRS 161.614 to permit the retirement system to acknowledge legally binding arbitration awards in adjusting salary and service credit; amends KRS 161.620 to allow ad hoc cost of living adjustments, dependent upon funding, with a catch up ad hoc cost of living adjustment for the first year of the biennium; amends KRS 161.623 to emphasize that sick leave cannot be used to meet retirement eligibility in the Kentucky Teachers' Retirement System even if that sick leave is accredited in another state-administered retirement system; amends KRS 161.630 to permit retirees to remove a beneficiary at any time but may not designate a replacement beneficiary, and with no change to the amount of their retirement allowance, even if the removed beneficiary predeceases them; amends KRS 161.640 to specify that retirement allowances are payable only to the retiree; specifies that retirement allowances for retirees in nursing or assisted care homes may be paid to the nursing or assisted care home and payment may be by mail; amends KRS 161.650 and KRS 166.655 to clarify instructions on designation beneficiaries and the effect of a beneficiary predeceasing the member; amends KRS 161.675 to specify that retirees cannot have medical insurance coverage in more than one state-administered retirement system, even if they separate their accounts; amends KRS 161.046 to conform to KRS 161.603 and KRS 161.605 if a retired member of Kentucky Teachers' Retirement System resumes employment as an adjunct instructor; amends KRS 161.567 to permit mutual fund accounts under the optional retirement plans; permits up to four companies rather than three companies from which the postsecondary education institution may purchase contracts; and declares an EMERGENCY.

#### **HB 471**

AN ACT relating to financial services.

Amends KRS 286.4-533 to permit a consumer loan company in any extension of credit to charge a bad check charge of \$25 rather than \$15, a credit investigations charge of \$1.50 rather than \$1 for each \$50 of the principal amount of the loan, an alternative to the default charge in KRS 286.4-530(4) of \$15 rather than \$10, and costs or other expenses in accordance with KRS 355.9-207; and amends KRS 286.4-590 to delete the requirement that certain information be included in the annual report filed with the Office of Financial Institutions.

#### **HB 475**

AN ACT relating to fire department reporting and report summaries.

Amends KRS 304.13-380, relating to fire call reports and monthly summaries, redirecting submission of reports and summaries from the State Fire Marshal to the Commission on Fire Protection Personnel Standards and Education.

**HB 479**

AN ACT relating to elections.

Amends KRS 117.085 to permit requests for applications for an absentee ballot to be transmitted by electronic mail; requires the clerk to provide a voter with a written authorization to vote if the voter does not vote by absentee ballot and returns the ballot to the clerk; amends KRS 117.165 to require the county board of elections to examine the voting machines designated for use during absentee voting not later than 3 business days preceding the date set by the board to conduct absentee voting and to give notice of such examination 24 hours preceding such; amends KRS 117.265 to establish the ineligibility of a write-in candidate; amends KRS 117.275 to conform; amends KRS 117.315 to require the list of challengers be presented to the chair or the secretary of the party committee of the county on or before the third Friday in April preceding the primary; amends KRS 117.995 to expand to absentee voting days the same prohibited activities currently applied to election day; amends KRS 118.425 to require the county board of elections to issue certificates of election in counties containing cities of the first class not later than the 30th day of December after the election, except for certain candidates; amends to require the certificate of the total number of votes to be certified to the Secretary of State's Office not later than 12 p.m. on the Friday following the election; amends to create a certification of votes deadline for special elections; amends KRS 119.056 to state activities that comprise a Class A misdemeanor regarding elections; amends KRS 117.085 to permit a member of the military who has requested an absentee ballot to cancel the absentee ballot and to vote in person on election day; amends KRS 118.125, 118.165, 118.315, 118A.060, and 83A.045 to provide that signatures for nomination papers shall not be affixed prior to the first Wednesday after the first Monday in November of the year preceding the year in which the office will appear on the ballot; amends KRS 118.227 to require the secretary of state to certify any changes made to a slate of candidates to the appropriate county clerk, to the registry, and to the State Board of Elections; amends KRS 83A.170 and 83A.175 to establish when a candidate's name is not to be printed on the ballot; and amends KRS 118.601, 118A.090, 83A.040, and 83A.165 to conform.

**HB 482**

AN ACT relating to show cattle.

Amends KRS 246.250 to define "registered cattle," "pen sale cattle," "market animals," and "AOB"; updates lists of cattle breeds eligible for premium and advertising funding; describes how all other breeds can be funded; establishes criteria for cattle breeds to be eligible for funding; and requires that the department promulgate administrative regulations to carry out the provisions of the section.

**HB 484**

AN ACT relating to agricultural products.

Amends KRS 164A.575 to encourage governing boards of public postsecondary institutions to purchase Kentucky-grown agricultural products in accordance with KRS 45A.645 if the institutions purchase agricultural products; requires that if a governing board purchases Kentucky-grown agricultural products through a contract with a vendor or food service provider, the contract shall require the products to be purchased in accordance with KRS 45A.645; and specifies that only contracts entered into or renewed after the effective date of the Act would have to comply with the provisions of the Act.

### **HB 495**

AN ACT relating to animal identification.

Amends KRS 257.497 to establish limitations and guidelines relating to the national animal identification program; specifies that the limitations and guidelines only apply to livestock and poultry; specifies that as long as the national animal identification program is voluntary, certain benefits cannot be withheld if a person does not participate in the voluntary program; and specifies that indemnities may not be withheld solely on a person's nonparticipation in a voluntary national animal identification program.

### **HB 506**

AN ACT relating to the incorporation of areas containing city-owned utility infrastructure.

Creates a new section of KRS Chapter 81A to define "city-owned utility infrastructure"; provides for a procedure for a city to follow when annexing an area containing city-owned utility infrastructure; prevents annexation of areas containing city-owned utility infrastructure without the permission of the city owning the utility infrastructure; and provides recourse when procedure is not followed.

### **HB 507**

AN ACT relating to consumer protection.

Amends KRS 367.397 to allow a buying club or vacation club member to cancel his or her membership in writing for a full refund within 3 business days rather than 30 business days; makes the 3-day cancellation deadline follow the date the membership contract was signed rather than the date membership was attained; deletes the prorated refund for cancellations after 30 business days; amends KRS 367.399 to remove the prorated refund provision from the mandatory contract text; and includes a prominent disclosure of the 3-day deadline at the beginning of the required "Members' Right to Cancel" text.

### **HB 509**

AN ACT relating to the State Board of Licensure for Professional Engineers and Land Surveyors.

Amends KRS 322.230 to make technical name changes; amends KRS 322.240 to require each appointed member of the board to be a resident of Kentucky at the time of appointment and throughout the term of the appointment; clarifies that current licensure is a board membership prerequisite for professional engineers and land surveyors; provides for removal of an engineer or land surveyor board member for any type of lapse in licensure; requires a vacant board position be filled under KRS 322.050(5) when the board position is vacated due to lapse in licensure; exempts one engineer board member appointed to fill a previous term that expired on December 31, 2010, from the regular 4-year board term; makes this board term for 3 years for this one appointment, but reverts the term of this board position back to 4 years thereafter.

### **HB 510**

AN ACT relating to land surveying.

Amends KRS 322.010 to clarify that "land surveying" includes preparing survey descriptions for use in legal instruments affecting real property or property rights; excludes from this definition the preparation of a physical description that identifies and describes the tract,

parcel, or lot by reference to the tract, parcel, lot, block, or unit number of any subdivision, or other summary identifier appearing on a properly recorded plat of record or by reference to a deed of record.

**HB 514**

AN ACT relating to financial matters of the Commonwealth, making an appropriation therefor, and declaring an emergency.

Amends HB 406/EN to make technical corrections to the Executive Budget as follows: reauthorizes a Kentucky Community and Technical College System (KCTCS) capital project; adds a KCTCS capital project to Part VII, General Fund Contingency Plan; provides additional money for Bucks for Brains; amends to allow local school districts additional flexibility in the use of capital outlay funds; amends to revise a Muhlenberg County coal severance project; amends HB 410/EN, which amended HB 406/EN, to increase bond funds for the Infrastructure for Economic Development Fund for Coal and Non-Coal Producing Counties and makes conforming changes; and declares an EMERGENCY.

**HB 524**

AN ACT relating to local government taxes and fees.

Creates new sections of KRS Chapter 91A to define “local government,” “risk location system or program,” and “tax period”; establishes the sole and exclusive method for the filing of amended returns and requests or assessments by any insurance company, local government, or policyholder for nonpayment, underpayment, or overpayment of any license fees or taxes imposed on insurance companies by local governments; provides that for tax periods beginning after December 31, 2008, all amended returns, requests for refunds or credits, and assessments shall be made within 2 years of the date of the annual reconciliation provided for in Section 5 for the tax period during which the error was made, except in case of fraud the underpayment may be assessed at any time; establishes the procedure for a request for a refund or credit by an insurance company; requires an insurance company that requests a refund or credit for payments made during tax periods after December 31, 2009, to produce proof it used a risk location system or program; permits an insurance company to apply for review of its claim to the Office of Insurance if the local government fails to act within 90 days; permits a policyholder who paid a license fee or tax to an insurance company to request a refund or credit for overpayment; permits a policyholder to apply for review of its claim to the Office of Insurance if the insurance company fails to act within 90 days; directs a local government that believes a license fee or tax has not been paid or has been underpaid to request the Office of Insurance to conduct an audit; establishes procedure if audit finds insurance company did not pay or underpaid the local government; directs an insurance company to pass the full amount of a refund or credit on to the policyholder from whom the fee or tax was collected within 90 days of receipt of a refund or credit if the insurance company had passed the fee or tax on to the policyholder; prohibits any party from filing a legal action prior to exhaustion of all administrative remedies under Section 2; deems information on specific policies and policyholders provided to local governments as confidential and proprietary information; directs the Office of Insurance to establish criteria for verification of risk location systems and programs before January 1, 2009; directs the executive director of the Office of Insurance to appoint a local premium tax advisory council to provide advice and expertise on the imposition and collection of taxes and fees on insurance companies; amends KRS 91A.080 to make technical changes; permits an insurance company to appeal

findings of an audit; prohibits a license fee or tax on policies insuring employers against liability for personal injuries to employees or death of employees, individual health insurance policies, Kentucky Access policies, and high deductible health plans; permits a county to impose a license fee or tax covering the entire county or limited to the unincorporated portions of the county; amends KRS 304.10-180 to subject brokers to the provisions of this section and Sections 1 to 5; creates new sections of KRS Chapter 91A to provide that effective December 31, 2008, the insurance company must include on either the renewal certificates or billings the amount of the local government tax and name of the taxing jurisdiction; requires each insurance company to notify each policyholder of the policyholder's rights under this chapter prior to December 31, 2008; permits the executive director of the Office of Insurance to impose an assessment on a biennial basis for the cost of administering this chapter; permits an assessment up to \$200 against insurance companies and surplus lines brokers; repeals Section 8 effective July 1, 2010.

#### **HB 534**

AN ACT relating to the issuance of certificates for workers' compensation insurance.

Relates to workers' compensation; amends KRS 342.340 to permit an insurance carrier or self-insured group to include the name of any additional insured on the evidence of compliance the insurance carrier or self-insured group is required to file with the Office of Workers' Claims on behalf of an employer; and requires the Office of Workers' Claims to notify the additional insured when an employer's workers' compensation coverage has been cancelled or terminated.

#### **HB 538**

AN ACT relating to sales and use tax, and declaring an emergency.

Amends KRS 139.472 to exempt over-the-counter drugs purchased for the treatment of a human being effective August 1, 2008; amends KRS 139.570 to limit the amount of vendor compensation to \$1,500 per reporting period; and declares an EMERGENCY; EFFECTIVE July 1, 2008.

#### **HB 540**

AN ACT relating to human immunodeficiency virus.

Amends KRS 214.181 to establish new legislative findings that knowledge of HIV status is important for all persons because the use of antiretroviral medications can slow disease progression, prolong and improve the lives of HIV-positive individuals, and reduce the likelihood of perinatal mother-to-child transmission; and permits disclosure of the results of a preliminary positive test to the patient and to a health professional if necessary to provide protection for the health and safety of practitioner and the patient.

#### **HB 551**

AN ACT relating to claims payments to administrators of pharmacy benefits.

Creates a new section of KRS 304.17A-700 to 304.17A-730 to require that a contract between an insurer and its pharmacy benefits administrator requiring electronic submission of claims also require electronic payments to the participating provider or designee for clean claims submitted electronically if electronic payment is requested by the provider; requires that a contract between an insurer and a participating pharmacy or its contracting agency requiring electronic submission of claims also require electronic payments to the participating provider or designee for clean claims submitted electronically if electronic payment is requested by the



provider; provides that an electronic claim is to be submitted in the form required by the insurer if the participating provider or designee agrees to accept claims details for the payments electronically and provides accurate electronic funds transfer information to the insurer; requires that all electronic claims are to be in compliance with Health Insurance Portability and Accountability Act regulations on privacy of electronic submissions; and requires that the provisions for electronic claims are to apply to all contracts entered into, amended, extended, or renewed on or after January 1, 2009.

**HB 552**

AN ACT relating to mortgages and declaring an emergency.

Creates a new section of KRS Chapter 198A to permit the Kentucky Homeownership Protection Center to be established by or through the Kentucky Housing Corporation; declares the purpose of the center is to provide a centralized location for information on public services to assist a homeowner who is in default or in danger of default on a home loan; creates a new section of Subtitle 2 of KRS Chapter 286 to require the mortgagee to provide to the homeowner at the time of closing any brochure, pamphlet, or brief document prepared or approved by the Kentucky Housing Corporation that describes services provided by the center; creates a new section of Subtitle 2 of KRS Chapter 286 to declare it is unlawful for a person in the course of a mortgage transaction to improperly influence the development, report, result, or review of a real estate appraisal in connection with a mortgage loan; amends KRS 286.8-010 to define terms; amends KRS 286.8-020 to clarify who is subject to the subtitle; establishes procedure for any mortgage loan company, loan broker, or branch to apply for an exemption; amends KRS 286.8-030 to specify when it is unlawful to make a mortgage loan; amends KRS 286.8-032 to permit the executive director to require electronic filing of applications and fees; exempts a broker from the educational training course required of applicants if the broker has held a license for at least 1 year and has held a license 5 consecutive years prior to filing the application; requires a broker-applicant to establish that the district, state, or territory from which the applicant applies, resides, or performs the primary portion of his business has rules, regulations, or other provisions which by reciprocity or comity are at least equal to the ones in this section; requires a mortgage loan company or broker to give at least 10 days' notice to the executive director of a change in location or business name or addition of a branch; requires every mortgage loan company to maintain an agent for service of process in Kentucky; amends KRS 286.8-034 to make technical changes; amends KRS 286.8-090 to create new actions for which the executive director may suspend or revoke a license or take other action against an applicant, licensee, person, or registrant; declares that surrender or expiration of a license, registration, or exemption shall not affect the licensee's civil or criminal liability for acts committed prior to the surrender or expiration; amends KRS 286.8-100 to allow the executive director to deem an application abandoned when it is received incomplete and the applicant fails to provide required information and fees or fails to respond to a request for information; amends KRS 286.8-110 to prohibit prepayment penalties after the third anniversary of the mortgage or after 60 days prior to the date of the first interest rate reset, whichever is less; restricts prepayment penalties to not more than 3 percent of the outstanding balance the first year, 2 percent the second year, and 1 percent the third year; amends KRS 286.8-140 to permit the executive director to require electronic filing of certain filings and fees; amends KRS 286.8-160 to require mortgage loan companies and brokers to keep records for a period determined by regulation by the executive director but no more than 5 years after a mortgage loan application is completed; permits preservation of records in an



electronic retrievable format; requires a person who ceases operating as a mortgage loan company or broker, prior to discontinuance of business in the residential mortgage lending process, to notify the executive director of the physical location where records are preserved and requires the designation of a custodian of records; amends KRS 286.8-190 to make technical changes; amends KRS 286.8-220 to prohibit the use of prescreened trigger lead information derived from a consumer report to solicit a consumer who has applied for a mortgage loan with another mortgage loan company or broker under certain conditions; amends KRS 286.8-250 delete the definition of “physical location”; amends KRS 286.8-255 to require registration of mortgage loan originators and mortgage loan processors; permits the executive director to require submission of federal and state criminal background records as part of an application; designates when a certificate of registration expires; amends KRS 286.8-260 to require the executive director to approve professional education courses and education providers to meet the continuing professional education requirements; amends KRS 286.8-270 to require the mortgage loan broker to act in good faith towards the borrower and comply with certain duties; amends KRS 286.8-990 to create the Kentucky Residential Mortgage Fraud Act; amends KRS 286.8-060 to require surety bonds to be payable to the executive director and provides that bonds shall be available for recovery of expenses, fines, and fees levied by the executive director and for losses and damages; creates new sections of Subtitle 8 of KRS Chapter 286 to create the mortgage lending fraud prosecution account; allows expenditures from the fund for criminal prosecution of fraudulent activities within the residential mortgage lending process; authorizes the executive director to file administrative complaints for potential or actual violations of this subtitle; permits the executive director to levy a civil penalty of \$1,000 to \$25,000 for violation of any provision of this subtitle or any administrative regulation promulgated thereunder; declares it unlawful for a licensee or person holding a claim of exemption to originate a loan secured by a mortgage on residential real property if the total net income generated by the licensee or person exceeds \$2,000 or 4 percent of the total loan amount, whichever is greater; authorizes the executive director to establish standards and requirements by administrative regulation for license testing, precensure education and continuing education requirements for mortgage professionals subject to testing and education requirements under this subtitle; requires any person applying for a license, registration, or claim of exemption to pass a written examination prior to issuance of a license, registration, or claim of exemption; requires an examination to be held at least monthly in Frankfort and permits an examination to be held on a monthly basis at a location in Kentucky designated by the executive director which is reasonably accessible to all applicants; requires the executive director to bar an applicant for 2 years from taking the examination if the applicant fails to pass three consecutive times; authorizes the executive director to enter an emergency order suspending, limiting, or restricting the license, claim of exemption, or registration of a mortgage loan company, broker, originator, or processor; amends KRS 360.100 to establish an additional threshold of total points and fees that exceed the greater of \$3,000 or 6 percent of the total loan amount; defines terms; prohibits a high-cost home loan lender from imposing prepayment penalties unless the lender offers the borrower a loan without prepayment penalties and the borrower initials the offer to indicate that the borrower rejected the offer; prohibits prepayment penalties of more than 3 percent the first 12 months, 2 percent the second 12 months, and 1 percent the third 12 months of the outstanding balance of the loan; establishes criteria which means a borrower is presumed to be able to make scheduled payments to repay the loan; requires loan documents to specifically authorize late payment fees if such fees are to be imposed; prohibits a lender from charging a fee for the first request in a calendar year for a

written payoff calculation; requires a lender to require an escrow account be established for taxes and insurance; prohibits a lender from using proceeds to repay the principal of an existing loan secured by the borrower's principal dwelling that is not a high-cost home loan; prohibits a lender from allowing a borrower to make payments that are applied only to interest and not to the principal; requires the lender to provide a borrower with timely notice of any material change in the terms of the high-cost loan; requires the lender to verify the borrower's income and financial resources and reasonable ability to repay the loan; creates a new section of KRS Chapter 367 to establish duties of a servicer who collects or processes payments on a residential mortgage loan; amends KRS 367.420 pertaining to home solicitation sales in which security is taken in the principal dwelling of the buyer to permit the buyer to rescind or cancel the transaction until midnight of the 10<sup>th</sup> rather than the 3<sup>rd</sup>, business day following the later of the consummation of the loan transaction or the delivery of the material disclosures required by the Truth in Lending Act; amends KRS 286.8-275 to make a technical change; and declares an EMERGENCY.

**HB 577**

AN ACT relating to marketing of a life insurance policy or annuity by an insurer or insurance producer to a service member of the United States Armed Forces.

Creates a new section of Subtitle 12 of KRS Chapter 304 to authorize the executive director to promulgate administrative regulations to protect service members of the United States Armed Forces from dishonest insurance marketing and sales practices.

**HB 579**

AN ACT authorizing the payment of certain claims against the state which have been duly audited and approved according to law, and have not been paid because of the lapsing or insufficiency of former appropriations against which the claims were chargeable, or the lack of an appropriate procurement document in place, making an appropriation therefor and declaring an emergency.

Provides for the payment of claims against the state that have been duly audited and verified, appropriates funds therefor, and declares an EMERGENCY.

**HB 583**

AN ACT relating to policing of the Kentucky State Horse Park.

Amends KRS 148.290, authorizing the Kentucky State Horse Park commission to establish restrictions on certain vehicles, including all-terrain vehicles and horse trailers, and to establish permitting and fee systems for vehicles and horse trailers; and amends KRS 148.991 to direct the Kentucky State Horse Park executive director to enforce laws governing certain vehicles, including all-terrain vehicles and horse trailers, on State Horse Park property.

**HB 590**

AN ACT relating to insurance.

Amends KRS 304.2-210, pertaining to examination of insurance companies, to define "examination workpaper;" establishes criteria to be considered by the executive director of the Office of Insurance in scheduling and determining the nature, scope, and frequency of examinations; permits the executive director to examine or investigate to the extent the executive director deems necessary and material; specifies when a report of the most recently completed examination of a foreign, or alien, insurer can be accepted in lieu of the executive director

making his or her own examination; amends KRS 304.2-230 to require the observance of guidelines in the Examiners' Handbook adopted by the National Association of Insurance Commissioners; establishes criteria of who may be appointed as examiner; provides immunity for examiners; authorizes the examiner to issue subpoenas; permits the executive director to terminate or suspend an examination in order to pursue other legal or regulatory action; amends KRS 304.2-250 to deem examination documents as confidential; amends KRS 304.2-260 to deem examination workpapers confidential and not available for public inspection and creates exceptions; and amends KRS 304.2-270 to conform; creates a new section of Subtitle 12 of KRS Chapter 304 to define "free insurance" and to prohibit the provision of free insurance for damage, loss, or theft as an inducement to the purchase, sale, or rental of consumer goods or services connected with consumer.

#### **HB 594**

AN ACT relating to public health.

Creates a new section of KRS 211 to establish that a person with an "eligible medical condition" shall have access to an employee toilet facility in a public and semipublic building.

#### **HB 605**

AN ACT relating to historic properties.

Creates a new section of KRS Chapter 42 to establish the Vest Lindsey House as a state meeting house and visitor information center for the north Frankfort area; amends KRS 11.026 to add the director of the Kentucky Heritage Council to the Historic Properties Advisory Commission and to establish the Ida Lee Willis-Vest Lindsey House endowment trust fund; and amends KRS 11.026 and 11.027 to name the Vest Lindsey House as a property under the supervision of the Historic Properties Advisory Commission.

#### **HB 606**

AN ACT relating to temporary registration of vehicles.

Creates a new section of KRS Chapter 186 to establish a commercial motor vehicle registration temporary placard to be issued by the department of vehicle regulation; establishes a fee of \$100 for the issuance of each placard; provides for appropriate uses of the commercial motor vehicle registration temporary placard; requires the temporary placard to expire 30 days after being activated by the user; creates a new section of KRS Chapter 186 to establish a commercial trailer temporary registration placard to be issued by the Department of Vehicle Regulation; establishes a fee of \$5 for the issuance of each placard; provides for appropriate uses of the commercial trailer temporary registration placard; requires the temporary placard to expire 30 days after being activated by the user; amends KRS 189.990 to provide penalty; and requires the cabinet to assess applicants for temporary motor carrier registrations for the programming costs of the Automated Vehicle Information System associated with the program.

#### **HB 607**

AN ACT relating to alternative teacher certification.

Amends KRS 161.048 to allow a 5-year statement of eligibility for teaching to be issued to a veteran who has completed a total of 10 years of active duty service, 10 years of service officially credited toward armed services retirement, or 10 years of a combination of such service.

**HB 608**

AN ACT relating to projects and declaring an emergency.

Identifies projects to be funded from the Infrastructure for Economic Development Fund for Coal and Non-Coal Producing Counties' Bond Funds authorized in 2008 Regular Session HB 406 as amended by 2008 Regular Session HB 410 and HB 514; provides for the City of Central City-[Waste]water Treatment Plant Expansion [~~(SX21177010)~~](*vetoed in part*); provides that all projects be administered by the Kentucky Infrastructure Authority; and declares an EMERGENCY.

**HB 609**

AN ACT relating to procurement.

Creates a new section of KRS Chapter 45A that requires a person contracting with the Commonwealth to register with the Department of Revenue to collect and remit the sales and use tax imposed under KRS Chapter 139.

**HB 610**

AN ACT relating to collections.

Amends KRS 45.238 and 45.241 to allow the secretary of the Finance and Administration Cabinet to return debts or liquidated debts collected by the Department of Revenue on behalf of other state agencies to the agency certifying the debt or to the Court of Justice, as the case may be.

**HB 611**

AN ACT relating to tax increment financing.

Amends KRS 139.515 to clarify the process by which the Department of Revenue calculates refunds due and to establish a phase out of the refund amount if refund requests are not filed in a timely manner; amends KRS 65.7081 to delete provisions requiring funds to be held in a non-interest bearing account; establishes a new Subchapter 30 of KRS Chapter 154 and repeals, reenacts, and amends various sections of KRS Chapter 65 as new sections of Subchapter 30 of KRS Chapter 154 to move oversight and responsibility for the state portion of the tax increment financing program from the Tax Increment Financing Commission to the Kentucky Economic Development Finance Authority; creates a new section of KRS Chapter 65 to permit local governments to impose a wage assessment within a development area or local development area; and amends various sections of KRS Chapter 65 to conform.

**HB 615**

AN ACT relating to trustees.

Amends KRS 387.760 to establish the maximum compensation payable to trustees; repeals KRS 386.180; and amends KRS 386.490 and 387.111 to conform.

**HB 618**

AN ACT relating to the Department of Fish and Wildlife Resources.

Amends KRS 150.170 to provide that persons who kill or trap wildlife on their land that are causing damage may do so during periods of time other than the open season for the species; provides that, with permission of the commissioner, persons other than landowners, tenants, and

their children may be likewise permitted; and provides that the carcass may be used, subject to permission by the commissioner of the Department of Fish and Wildlife Resources.

**HB 625**

AN ACT relating to the lease of real property in a foreign jurisdiction.

Creates a new section of KRS Chapter 56 to establish procedures for the lease of real property in a foreign jurisdiction by the Commonwealth.

**HB 626**

AN ACT relating to agriculture.

Amends KRS 45A.645 and KRS 148.830 to include references to the Kentucky Proud Program; repeals, reenacts, and amends KRS 260.015 to establish a Kentucky Proud Program; restricts the use of the logo and labeling statements; allows grants-in-aid for eligible participants; allows fees to be charged for certain participants; creates new sections of KRS Chapter 260 to define “agricultural product” and “Kentucky-grown agricultural product,” to create a Kentucky Proud Advisory Council and describe its membership and duties, and to create a Kentucky Proud promotion fund and describe the uses of the fund; and makes technical corrections.

**HB 629**

AN ACT relating to sales and use tax.

Amends KRS 139.472 to redefine “durable medical equipment” to include a definition for “repair and replacement parts” for same; amends KRS 139.781 to define “taxability matrix”; amends KRS 139.795 to limit purchaser’s liability if based upon erroneous data provided by the Department of Revenue; amends KRS 139.110 to include various definitions found throughout Chapter 139; amends KRS 139.025, 139.210, 139.215, 139.240, 139.340, 139.470, 139.486, 139.518, 139.536, 139.538, 139.735, 139.990, 68.200, 132.200, and 154.27-070 to conform; and repeals KRS 139.020, 139.030, 139.040, 139.050, 139.060, 139.070, 139.080, 139.090, 139.095, 139.100, 139.110, 139.120, 139.140, 139.150, 139.160, 139.170, 139.180, 139.190, 139.487, 139.488, 139.5381, 139.5382, 139.5383, 139.5384, 139.5385, 139.5386; EFFECTIVE August 1, 2008.

**HB 633**

AN ACT to relating to voluntary dental and vision insurance for state employees.

Repeals KRS 18A.2257.

**HB 638**

AN ACT relating to real estate brokerage.

Creates new sections of KRS Chapter 324, relating to real estate brokers, to allow an out-of-state broker to practice in Kentucky relative to commercial real estate through a cooperation agreement with a Kentucky real estate broker; defines “commercial real estate,” “cooperation agreement,” “Kentucky cooperating broker,” “out-of-state principal broker,” and “out-of-state licensee”; requires that out-of-state licensees be licensed with and work under the direct supervision of an out-of-state principal broker; sets out minimum contents of cooperation agreements that include terms of compensation, description of the parties, specific transactions governed by the cooperation agreement, and the start and end date of the agreement; mandates that, for transactions that fall within the scope of the cooperation agreement, out-of-state brokers



work under the supervision and control of the Kentucky cooperating broker and supply the Kentucky cooperating broker with a true and complete notice of affiliation; includes licensure status and other disclosures; limits types of transactions and advertising; exempts multistate portfolio listings from the regular advertising requirement by mandating that the Kentucky broker be printed in legible type and not necessarily with equal prominence in the advertising; prohibits holding out-of-state escrow accounts or engaging in improper conduct; lists information to be completed on the notice of affiliation, including identifying information, agreement effective and termination dates, and consent to jurisdiction; requires the out-of-state broker to allow the service of process on the Kentucky secretary of state for legal actions commenced against the out-of-state broker; allows the commission to conduct criminal records checks of out-of-state brokers only when in conjunction with a disciplinary investigation; exempts preliminary exchanges of materials, discussions, and investment or other advice from those acts that constitute real estate brokerage; directs out-of-state brokers to cease performing commercial real estate brokerage in Kentucky if any change in circumstances will prevent compliance with the cooperation agreement; grants the commission the authority to impose sanctions or penalties against out-of-state brokers for failure to substantially comply with the cooperation agreement restrictions or for engaging in improper conduct; amends KRS 324.020 to allow out-of-state brokers working under cooperation agreements to practice real estate brokerage; and permits Kentucky brokers to pay a commission or other compensation to a broker licensed outside of Kentucky under a cooperation agreement.

**HB 639**

AN ACT relating to deadly weapons.

Amends KRS 16.220, relating to public auction of confiscated firearms, to require auction by the Department of Kentucky State Police rather than by the Finance and Administration Cabinet; permits the Department of Kentucky State Police to retain 20 percent of proceeds from the auctions of firearms; changes administration of the program from Governor's Office for Local Development to the Kentucky Office of Homeland Security; provides grants for the purchase of electronic control weapons; sets priorities for uses of funds; changes reference relating to the Bureau of Alcohol, Tobacco, and Firearms from U.S. Department of the Treasury to the U.S. Department of Justice to reflect federal reorganization of the agency; amends KRS 237.110 relating to concealed deadly weapons licenses to permit aliens who are legally in the United States and who are permitted by federal law to purchase firearms to obtain a Kentucky concealed deadly weapon license; and requires enhanced federal checks by Department of Kentucky State Police on aliens who apply for a concealed deadly weapon license.

**HB 640**

AN ACT relating to school health services.

Amends KRS 156.4975 to define health services; amends KRS 156.4977 to permit a supplemental grant program managed by the Cabinet for Health and Family Services to fund employment of a physician or nurse in a family resource or youth services center; and specifies the grant program may receive appropriations, gifts, or other contributions and shall not reduce the amount of the family resource youth services center grants.



### **HB 649**

AN ACT relating to underground facility damage prevention.

Amends KRS 367.4903 to define forms of excavation; includes inability to restore interrupted utility service in definition of “emergency”; specifies multimember protection notification center designated by the Public Service Commission as sole recipient of 811-dialed calls for excavator-operators to obtain information regarding approximate location of underground facilities; excludes penetration of existing grade from definition of “routine road maintenance”; amends KRS 367.4909 to conform; amends KRS 367.4911 to require excavators to cease excavation or demolition activities and immediately report any underground facility damage that results in the escape of any flammable, toxic, or corrosive gas or liquid to appropriate authorities via 911 emergency telephone number; amends KRS 367.4913 to conform; amends KRS 367.4915 to exempt emergency work by utility operators or utility subcontractors from requirements of KRS 367.4905 to 367.4917; amends KRS 367.4917 to retain current fines of \$250 for the first offense, up to \$1,000 for the second offense within 1 year, and up to \$3,000 for the third or subsequent offenses; requires that all fines recovered for violations be paid to the General Fund of the state, county, or city which issued the citation and that if more than one government agency was involved, fines shall be apportioned; increases operator fines for failure to comply with any provision of KRS 367.4909 to no more than \$3,000 and reimbursement of costs associated with an agency’s response to or mitigation of violations; and amends KRS 367.4911 to delete indemnification of an excavator who complies with KRS 367 from liability for repair of damaged underground facility or facilities under Section 6 of the Act if the damage is a result of another entity’s failure to comply with KRS 367.4903 to 367.4917.

### **HB 655**

AN ACT relating to school bus transportation.

Amends KRS 158.115 to require that by September 30 of each year the secretary of the Transportation Cabinet report data related to providing transportation for nonpublic school pupils to the Interim Committee on Appropriations and Revenue; requires the information be from fiscal court applications received by the Transportation Cabinet; and requires the report to project the amount of money needed to provide nonpublic transportation during the next biennium.

### **HB 676**

AN ACT relating to classic motor vehicle project titles.

Amends 186A.510 to define the terms “classic motor vehicle project” and “road worthy condition”; creates a new section of KRS 186A.500 to 186A.550 to establish a classic motor vehicle project certificate of title; clarifies that classic motor vehicle project titles shall prohibit the use of vehicles bearing these titles on the highway; clarifies that a classic motor vehicle project title shall not bear the designation of salvage or junk; establishes procedures for vehicles with a classic motor vehicle project title that have been restored to be issued a regular title; requires the Transportation Cabinet to promulgate administrative regulations regarding the issuance of classic motor vehicle project titles; amends KRS 186A.115 to require that inspections on classic motor vehicle project vehicles being brought in from another state be limited to verification of the vehicle identification numbers.

**HB 683**

AN ACT relating to the justice system and declaring an emergency.

Amends KRS 439.320 to add two new full-time members to the parole board; amends KRS 439.340 to allow the Parole Board to review the parole application of a Class C felon without a hearing if the person is not a violent offender; amends various statutes to increase the fees imposed for jail triage, DUI violations, bond filings with court clerks, and misdemeanor expungement applications; amends KRS 532.200 to modify the requirements for devices that may be used in home incarceration; amends KRS 17.170 to require the collection of DNA from any person 13 years of age or older, including a juvenile offender, who is convicted or adjudicated guilty on or after the effective date of the Act of any felony offense, or who is in the custody of the Department of Corrections, the Department of Juvenile Justice, or a local or county jail on the effective date of the Act for the conviction or adjudication of a felony offense, who is on probation, parole, conditional discharge, conditional release, or diversion for a felony offense that occurred prior to the effective date, or who is a registered sex offender; requires that the Kentucky State Police forensic laboratory is to supply collection materials and shipping materials, with a new Class A misdemeanor offense being created for persons required to give a DNA sample who refuse to do so; repeals KRS 17.171, 17.172, 17.173, and 17.174; includes noncodified effective date of July 1, 2008; and declares an EMERGENCY.

**HB 684**

AN ACT relating to the Kentucky Boxing and Wrestling Authority and making an appropriation therefor.

Amends KRS 229.011 to define “boxing,” “kickboxing,” “mixed martial arts,” “show,” and “wrestling”; excludes amateurs under the jurisdiction of the Kentucky High School Athletic Association, the National Collegiate Athletic Association, the Amateur Athletic Union, Golden Gloves, USA Boxing, USA Wrestling, and events in which participants do not strive to win from the definition of “exhibition,” deletes the definition of “wrestling”; defines “professional wrestling”; amends KRS 229.021 to require a license or permit for individuals involved in a show or exhibition; amends KRS 229.031 to require those conducting a show or exhibition to pay a tax of \$25 or 5 percent of gross receipts, whichever is greater; amends KRS 229.051 to require a bond before a promoter license is granted; amends KRS 229.061 to include kickboxing and mixed martial arts shows; amends KRS 229.071 to require show dates to be approved and require a promoter’s license for anyone providing training for a show or exhibition and to include kickboxing and mixed martial arts; amends KRS 229.081 to require licensing for bout assistants and seconds; amends KRS 229.101 to limit mixed martial arts bouts or exhibitions to no more than five rounds with duration of each round determined by administrative regulation; amends KRS 229.111 to include kickboxing and mixed martial arts shows; amends KRS 229.121 to extend minimum age requirements to kickboxing and mixed martial arts shows or exhibitions; amends KRS 229.131 and KRS 229.141 to include kickboxing and mixed martial arts; amends KRS 229.151 to extend the authority’s responsibility beyond only professional bouts; creates a new section of KRS chapter 229 to create the Kentucky Boxing and Wrestling Medical Advisory Panel to advise the authority on health and safety issues and to review the fitness of referred individuals to compete in the regulated sports; amends KRS 229.155 to assign the duties of executive director of the authority to the commissioner of the Department of Public Protection until revenue of \$500,000 has been generated in 2 consecutive fiscal years; amends KRS 229.171 to extend the jurisdiction of the authority to kickboxing and mixed martial arts shows; amends

KRS 229.200 to allow the authority to probate a license and extend the authority to include kickboxing and mixed martial arts; amends KRS 229.210 to grant the medical review panel the authority to determine the length of a medical suspension, under approval of the board; amends KRS 229.250 to require the \$250,000 collected by the authority to be paid into an agency fund account; amends KRS 229.991 to increase the maximum fine for participants acting without a license and for issuing a license to a contestant under the age of 18 and for violations of other provisions of the chapter; and repeals KRS 229.161.

#### **HB 690**

AN ACT relating to natural gas acquisition and supply.

Creates new sections of KRS 353 to provide for the establishment of Gas Acquisition Authorities for acquiring and financing reliable and economical supplies of natural gas for the use and benefit of municipal utilities; provides that a Gas Acquisition Authority is created by interlocal cooperation agreement between two or more municipal gas systems following the procedures and requirements of the Interlocal Cooperation Act, including approval of the Interlocal Cooperation Agreement by the Department for Local Government; provides that a Gas Acquisition Authority is a political subdivision of the state, is subject to the Commonwealth's open public meeting and public records laws, has all powers necessary to acquire, own, and manage reliable and economic supplies of gas, may enter into all contracts necessary or related to accomplishment of its purposes, may issue bonds to finance the cost of acquiring gas supplies and may pledge revenues to secure the bonds, may enter into contracts for the sale of its gas supplies to municipal utilities and other public agencies that agree to pay for gas only out of their utility revenues, and is not authorized to sell gas to retail customers served by an investor-owned or consumer-owned utility.

#### **HB 694**

AN ACT relating to assistance to postsecondary education.

Amends KRS 164.785 to include in the list of schools in which a student can enroll and receive a Kentucky tuition grant an approved out-of-state postsecondary education institution licensed by the Council on Postsecondary Education to operate in Kentucky which is accredited by a regional accrediting association recognized by the United States Department of Education; allows students eligible for a Kentucky tuition grant accepted or enrolled prior to the 2011-2012 academic year in schools accredited by a regional accrediting association recognized by the United States Department of Education to continue to be eligible until June 30, 2014; requires postsecondary education institutions beginning with the 2011-2012 school year to be accredited by the Southern Association of Colleges and Schools or be reviewed and approved by the Council on Postsecondary Education to remain eligible as an institution in which a student may receive a Kentucky tuition grant; requires an out-of-state institution seeking approval as an eligible institution in which a student may use a Kentucky tuition grant to pay all costs associated with an institutional review conducted by the Council on Postsecondary Education; and creates a new section of KRS Chapter 164 to permit universities with a legacy program for nonresident children of graduates to provide the same tuition rate for siblings of graduates.

**HB 696**

AN ACT relating to vehicle accident reports.

Amends KRS 189.635 to clarify that accident reports are not public records; allows a limited exemption to the prohibition on commercial distribution of accident reports to allow sharing with entities that collect vehicle accident data to give consumers a means of determining a vehicle's accident history; allows contracting with an entity to provide electronic accident reports to some entities that are eligible to receive them; provides that a copy of an accident report shall be available without subpoena to any party to litigation when the request is filed with a copy of the first page of the complaint that is stamped by the court clerk; allows accident reports to be available to insurers or their written designee for insurance business purposes; and requires the department to promulgate administrative regulations regarding fees for accident reports provided under this section.

**HB 697**

AN ACT relating to Kentucky Public Employees Deferred Compensation Authority.

Creates a new section of KRS 18A.230 to 18A.275 to provide that assets of the trust fund for the Kentucky Public Employees Deferred Compensation Authority shall be used exclusively for the benefit of participants and beneficiaries; amends KRS 18A.240 to clarify that no part of the trust fund shall revert to the general fund of the Commonwealth; amends KRS 18A.245 to provide for proxy voting for ex officio members of the authority's board and to allow the authority to contract for services to provide investment advice for participants; and amends KRS 18A.255 to provide the authority or board shall not be liable for investment advice provided to the participant by persons contracted to do so by the authority.

**HB 698**

AN ACT relating to coal tax.

Amends KRS 143.010 to exclude electromagnetic treatment from the definition of "processing" of coal.

**HB 704**

AN ACT relating to fiscal matters and declaring an emergency.

Amends KRS 136.392 to codify several court decisions related to the insurance premium surcharge tax; amends KRS 138.195 to clarify that manufacturers and the first person to import cigarettes, other tobacco products, or snuff from a foreign manufacturer are to submit to the department monthly reports on all shipments; amends KRS 141.160 to clarify that income tax returns of cooperatives are to be made on September 15 in each year, unless the return is prepared on a fiscal year basis; amends KRS 160.6156 to provide that a utility service provider shall not be entitled to a refund or credit of taxes paid unless the provider refunds or credits its related customers the amount of overpayment made to the department; amends KRS 160.6157 to allow the department to issue a penalty on a utility service provider who erroneously bills a customer after being notified by the department of the error in an amount equal to \$25 per subsequent error, not to exceed \$10,000 per month; amends KRS 160.6158 to allow the penalty to be waived based on reasonable cause; amends KRS 139.110 to clarify the circumstances when a person making sales at a charitable auction is not the retailer; amends KRS 131.183 to modify the interest rate charged on taxes payable to the Commonwealth to the prime rate plus 2 percent, to modify the interest rate paid by the Commonwealth to the prime rate minus 2 percent, and to

clarify the date upon which interest paid on overpayments begins to accrue; makes conforming changes to KRS 141.044 and 141.235; amends KRS 134.580 to clarify the definition of “overpayment”; amends KRS 393.060 to reduce the holding periods for presuming property is abandoned when held by a bank or other financial organization and for traveler’s checks and to provide via noncodified language that unclaimed securities may be sold and the proceeds made available for appropriation as part of the General Fund; amends KRS 157.621 to include authorization for all growth nickels levied prior to the effective date of the Act, to prohibit the levy of additional growth nickels after the effective date of the Act, to authorize equalization funding for various levies, to authorize impacted school districts to levy a “BRAC” nickel, and to include noncodified language authorizing actions taken in the 2003, 2005, and 2006 budget bills; amends language included in the equalization for the 10-cent levy to require that the levy be made prior to the effective date of the Act; and declares an EMERGENCY.

### **HB 717**

AN ACT relating to stream restoration and mitigation.

Creates new sections of KRS Chapter 151 to define “fees-in-lieu,” “404 In-lieu fee program,” “compensatory mitigation,” “stream restoration and mitigation,” “mitigation review team,” “Section 401 certification,” “HUC 10 watershed,” “hydrologic unit code,” “mitigation organization,” “mitigation,” “restoration,” “riparian,” “Section 404 permit,” “watershed,” “USACE,” and “2020 water management planning council”; requires restoration and mitigation planning to be on a watershed basis; grants permissive authority for the creation of a Stream Restoration and Mitigation Authorities for each HUC 10-sized watershed in the Commonwealth; specifies the function and powers of the Stream Restoration and Mitigation Authorities; allows 2020 water management planning councils to contact water service coordinators to request assistance with establishing authorities and nominate members; requires members of the authority to serve ex officio on 2020 water management planning councils; vests authorities with public stewardship responsibility over the watershed’s water resources and riparian environments; allows authorities to petition to enter into contracts to become mitigation organizations; empowers authorities to coordinate with area utilities, governments, universities, and special districts; prohibits the authority from exercising the power of eminent domain; makes the authority advisory to the division of water and the mitigation review team in terms of regulatory power; identifies the authority’s responsibilities as prioritizing work in the watershed for making recommendations to the mitigation review team, expending resources for remediation of preexisting pollution if approved by USACE, establishing technical advisory committees, reviewing and commenting on plans, conducting education programs, coordinating planning projects, and conducting pilots; requires a report to the Legislative Research Commission on October 31 of each year; and authorizes authorities to conduct certain restoration and mitigation pilot projects.

### **HB 734**

AN ACT relating to school finance and declaring an emergency.

Amends KRS 157.621 to authorize the imposition of growth nickels that were levied prior to the effective date of the Act based upon authorization provided in prior budget bills; affirms and continues equalization funding provided to school districts prior to the effective date of the Act based upon levies made by those school districts prior to the effective date of the Act; prohibits the imposition of any growth nickels after the effective date of the Act; allows the levy



of an additional nickel by school districts impacted by the Base Realignment and Closure 2005; provides for equalization in certain circumstances; affirms the intention of the General Assembly in providing authorization in prior budget bills for the levy of additional school taxes and the equalization of those levies; and declares an EMERGENCY.

### **HB 758**

AN ACT relating to workers' compensation self-insured groups.

Amends various sections of Subtitle 50 of KRS Chapter 304, relating to workers' compensation self-insured groups to extend application of the subtitle to "bona fide" trade associations; clarifies that minimum surplus exemption applies to a group operating under a plan approved by the executive director, or a remedial plan approved prior to August 3, 2004; provides that security deposit requirements are based on an audited rather than certified statement of financial condition; establishes requirements for banks or trust companies for security deposits and requires approval by the executive director; requires a custodial bank or trust company to have capital and surplus of \$25 million or more, except that those licensed and regulated in Kentucky shall have \$10 million or more; permits the purchase of certificates of deposit from any duly chartered bank; allows investment in equity securities that are actively traded on any registered national securities exchanges; clarifies that eligible securities include government bonds, United States Treasury notes and bills, other United States Government-guaranteed obligations, and "A" rated Kentucky tax-exempt obligations; specifies that limits on investment instruments be based on the most recent quarterly or annual financial statement; requires proof of specific excess insurance and aggregate excess insurance for ensuing year to be filed within 10 days before the end of the self-insurance year, unless aggregate excess insurance is waived; requires annual filing within 120 days of the end of the self-insured group's fiscal year; requires a self-insured group to provide a statement of financial condition to a group member upon request; applies filing fee for both form and rate filings; exempts a group that has a fund balance of 30 percent or more of earned premiums from the requirement to purchase aggregate excess insurance coverage.

### **HB 759**

AN ACT relating to commercialization and innovation.

Amends 154.12-278 include the Kentucky Enterprise Fund among those in the Science and Technology Funding Program; amends KRS 164.6019 to rename the Kentucky Research and Development Voucher Fund the Kentucky Enterprise Fund; expands the fund to include feasibility, concept development, and commercialization work; amends KRS 164.6021 to allow grants to companies of up to \$30,000 for feasibility, \$250,000 for concept development, \$500,000 for postinitialization, and \$750,000 for high-growth potential; waives requirement of partnering with a college or university where it is not practicable; amends other KRS sections to conform and to combine funding sources; and repeals KRS 154.12-315 and 164.6025.

### **HB 765**

AN ACT relating to methamphetamine contamination.

Amends KRS 224.01-410 to define "clandestine methamphetamine lab," "contaminated property," "decontamination standards," and "inhabitable property"; requires the Environmental and Public Protection Cabinet to establish a tiered response system for methamphetamine-contaminated properties and decontamination standards through administrative regulations;



requires the Department of Kentucky State Police to promulgate administrative regulations establishing assessment procedures for determining contaminated property; requires law enforcement to consult with the cabinet when a Tier 4 contaminated property is discovered; requires at least a Tier 1 cleanup response to any contaminated property regardless of initial level of contamination; requires \$100,000 of financial assurances for certified contractors for a Tier 1, 2, or 3 cleanup and \$250,000 of financial assurances for Tier 4 cleanup; clarifies the mechanisms of financial assurance allowed by certified contractors and provides that the financial assurance may be aggregated; grandfathers all contractors already certified by the cabinet; requires local law enforcement officials or other peace officers to post the notice of quarantine on inhabitable properties under administrative regulations promulgated by the Department for Public Health and at the request of the state or local health department; requires any owner of contaminated property to disclose contamination prior to leasing, renting, or selling the property unless the property has been decontaminated and certified; requires the cabinet to make information about federal income tax deductions or credits available to owners of property damaged due to crime; amends KRS 224.99-010 to make anyone who removes a methamphetamine contamination notice guilty of a Class A misdemeanor and to make anyone who leases, rents, or sells contaminated property without written notice guilty of a Class D felony; and amends KRS 198A.040 to require the Kentucky Housing Corporation to report to the Legislative Research Commission about the corporation's program to assist people of lower and moderate income from the costs associated with assessment and decontamination services.

#### **HJR 6**

Requires the Kentucky Department of Education, by September 1, 2008, to review Holocaust and genocide curricula developed by other states and to review the Kentucky Program of Studies to determine places where the study of the Holocaust and genocide may be included; requires the department to develop and disseminate to local schools, for the 2009-2010 school year, a curriculum guide that may be used to teach the history of the Holocaust as an example of genocide; and requires the resolution be referred to as the "Ernie Marx Resolution."

#### **HJR 17**

Directs the Cabinet for Health and Family Services to report to the Office of the Ombudsman on the completion of corrective action plans and to continue to provide resources and staff to the Office of the Ombudsman to track and to report on trends in the receipt, review, and resolution of citizen complaints about child protection programs and services as required under 2007 Ky. Acts ch. 61; requires the Office of the Ombudsman to track citizen complaints and report 10 or more incidents of justified complaints within a 6-month period, rather than 1 year, to determine whether a complaint is justified; requires the Office of the Ombudsman to investigate occurrences of 10 or more justified complaints within a 6-month period, rather than 1 year, and to refer a justified complaint that involves an illegal action, as appropriate; requires the director of the Office of the Ombudsman to request that the Office of the Inspector General conduct an investigation as warranted; requires the cabinet to establish, maintain, and publicize a 24-hour toll-free hotline and e-mail address for receiving reports of service complaints; requires the cabinet to provide hotline and e-mail information to a parent who has a child removed from his or her custody by the cabinet; requires the office to report by January 31 and July 31 each year on all complaints, correction action plans, investigations, and investigations referred; requires the office to make recommendations for policy or legislative changes to improve service

delivery; and requires the Department of Community Based Services to report by January 31 and July 31 of each year on the results from statewide random samples of case reviews and a summary of the exit interviews for social service workers; NOT ENROLLED.

**HJR 68**

Reauthorizes the Kentucky Aquaculture Task Force and sets forth membership duties.

**HJR 81**

Provides that the mandates, directives, and initiatives in the 2008-2010 Executive Branch Budget memorandum have the force and effect of law; attaches the provisions of the 2008-2010 Executive Branch Budget Memorandum; and declares an EMERGENCY.

**HJR 82**

Provides that any mandates, directives, and initiatives in the 2008-2010 Legislative Branch Budget Memorandum have the force and effect of law; attaches the provisions of the 2008-2010 Legislative Branch Budget Memorandum; and declares an EMERGENCY.

**HJR 83**

Provides that any mandates, directives, and initiatives in the 2008-2010 Judicial Branch Budget Memorandum have the force and effect of law; attaches the provisions of the 2008-2010 Judicial Branch Budget Memorandum; and declares an EMERGENCY.

**HCR 93**

Reauthorizes the Land Stewardship and Conservation Task Force.

**HCR 112**

Recognizes February 12, 2008, as the official commencement of the celebration of the Abraham Lincoln Bicentennial.

**HJR 130**

Directs the commissioner of the Department of Fish and Wildlife Resources to coordinate a study on Kentucky's deer population; establishes study parameters and sets forth those individuals and entities from whom input shall be solicited; directs the Department of Fish and Wildlife Resources to issue a preliminary report by November 30, 2008, and a final report by April 30, 2009, to pertinent legislative committees; and restricts the administration of certain drugs on noncaptive wildlife, allows for exceptions, and establishes penalty.

## Senate and House Simple Resolutions

### SR 28

Confirms the reappointment of William Bruce Cowden, Jr. to the Workers' Compensation Board for a term expiring January 4, 2012.

### SR 29

Confirms the reappointment of Marcel Smith as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

### SR 30

Confirms the reappointment of Don Ball to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2011.

### SR 31

Confirms Executive Order 2007-1079 appointing Mark D. Gibson to the Parole Board.

### SR 32

Confirms Executive Order 2007-1079 appointing Charles T. Massarone to the Parole Board.

### SR 33

Confirms the appointment, in accordance with KRS 278.050, of Mark David Goss as commissioner and chair of the Public Service Commission.

### SR 34

Confirms the reappointment of Grant Stewart Roark as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

### SR 35

Confirms the reappointment of Marc Christopher Davis as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

### SR 36

Confirms the appointment, in accordance with KRS 278.050, of Caroline P. Clark as commissioner of the Public Service Commission

### SR 37

Confirms the appointment of Nancy R. Mitchell to the Kentucky Board of Tax Appeals for a term expiring January 26, 2011.

### SR 38

Confirms the reappointment R. Scott Borders as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

**SR 39**

Confirms the reappointment of Howard E. Fraxier, Jr. as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

**SR 40**

Confirms the reappointment of James L. Kerr as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

**SR 41**

Confirms the reappointment of Sheila C. Lowther as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

**SR 42**

Confirms Executive Order 2007-1079 appointing Bridget Skaggs Brown to the Kentucky Parole Board to serve the remainder of the unexpired term of Theodore R. Kuster, which will expire on June 30, 2008.

**SR 44**

Confirms the appointment of Franklin A. Stivers to the Workers' Compensation Board for a term expiring January 4, 2011.

**SR 45**

Confirms the reappointment of David A. Wombwell to the Kentucky Housing Corporation Board of Directors for a term expiring October 30, 2011.

**SR 46**

Confirms the reappointment of Lawrence F. Smith as an administrative law judge in the Office of Workers' Claims for a term expiring December 31, 2011.

**SR 249**

Appoints C. Richard Warner to the Apicultural Development Board for a term expiring July 6, 2011.

**SR 250**

Reappoints Donna M. Amburgey to the Agricultural Development Board through July 6, 2011.

**SR 251**

Confirms the appointment of Dwight T. Lovan as the executive director of the Office of Workers' Claims.

**SR 252**

Confirms Executive Order 2008-173, dated February 20, 2008, appointing Suzanne Cassidy to the Personnel Board, replacing Rosemary F. Center, whose term has expired.

**SR 253**

Reappoints H.H. Barlow to the Agricultural Development Board through July 6, 2011.

**SR 254**

Confirms the appointment of William David Donan to the Mine Safety Review Commission for a term expiring May 23, 2011.

**SR 255**

Confirms the appointment of James F. Sullivan to the Board of Directors of the Kentucky Lottery Corporation for a term expiring November 28, 2011.

**SR 256**

Confirms the appointment of Woodford Webb to the Board of Directors of the Kentucky Lottery Corporation for a term expiring November 28, 2011.

**SR 257**

Confirms the reappointment of Daniel Hall to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2011.

**SR 258**

Confirms the appointment of Rita Y. Phillips to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority for a term expiring December 31, 2011.

**SR 259**

Confirms the appointment of Shawn Martin Crouch to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2011.

**SR 260**

Confirms the appointment of Jason Brent Legg to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2010.

**SR 261**

Confirms the appointment of David P. Schoeph to the Governor's Postsecondary Education Nominating Committee for a term expiring April 14, 2012.

**SR 262**

Confirms the appointment of Donna Moore Campbell to the Council on Postsecondary Education for a term expiring December 31, 2013.

**SR 263**

Confirms the appointment of James F. Howard to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority for a term expiring December 31, 2011.

**SR 264**

Confirms the reappointment of Brian Van Horn to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2010.

**SR 265**

Confirms the appointment of Mary S. Hammons to the Education Professional Standards Board for a term expiring September 18, 2011.

**SR 266**

Confirms the gubernatorial appointment of Gregory E. Ross to the Education Professional Standards Board for a term expiring June 7, 2008.

**SR 267**

Confirms the reappointment of David H. Snowden to the Board of Directors of the Kentucky Employers' Mutual Insurance Authority for a term expiring December 31, 2011.

**SR 268**

Confirms the appointment of Lisa Frazier Osborne to the Kentucky Council on Postsecondary Education for a term expiring July 31, 2012.

**SR 269**

Confirms the gubernatorial appointment of Joseph S. Weis to the Kentucky Council on Postsecondary Education for a term expiring December 31, 2012.

**SR 270**

Confirms the appointment of Virginia G. Fox to the Kentucky Council on Postsecondary Education for a term expiring December 31, 2012.

**SR 271**

Confirms the appointment of Kristen Webb to the Kentucky Registry of Election Finance for a term expiring August 15, 2011.

**SR 272**

Confirms the appointment of Stanton Cave to the Mine Safety Review Commission for a term expiring May 23, 2010.

**SR 273**

Confirms the appointment of Bobbie Sammons Stoess to the Education Professional Standards Board for a term expiring September 18, 2011.

**SR 274**

Confirms the appointment of Thomas James Stull to the Education Professional Standards Board for a term expiring September 18, 2011.

**SR 275**

Confirms the gubernatorial appointment of Sandy Sinclair-Curry to the Education Professional Standards Board for a term expiring on September 18, 2008.



**HR 283**

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**HR 296**

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**HR 297**

Confirms the appointment of Shawn Martin Crouch to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2010.

**HR 298**

Confirms the appointment of Jason Brent Legg to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2010.

**HR 299**

Confirms the reappointment of Daniel Hall to the Kentucky Long-Term Policy Research Center Board for a term expiring October 6, 2011.

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Sex crimes, victims, polygraph prohibited - SB 151

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### Attorney, County

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Dental services, waive license requirements for - HB 186  
Dependency, neglect, and abuse of, increase penalties for failing to report - HB 211  
DNA sample, taking of, child guilty of felony - HB 683  
Educational opportunities for military children, compact for - SB 68  
Family resource youth services centers, specify requirements for - SB 192  
Foster children, court records, electronic copies permitted - SB 188  
Immunization certificate for hepatitis B, require on school file - SB 118  
Legally adopted children, survivor benefits for - SB 131  
Sex offenses against, increase misdemeanor statute of limitations for - HB 211  
Sexual abuse of, modifications to age ranges and prohibitions against - HB 211  
Status offenders, requirements for detention - HB 384  
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Dental exam or screening, requirement for - HB 186  
Harassment, intimidation, definition of - HB 91  
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Study of the Holocaust, develop curriculum guide to include - HJR 6  
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Bond, bail taking of, fee for, increase - HB 683  
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Annexation, when existing city-owned utility infrastructure already present - HB 506  
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Police officers in cities of the second class, alternative work schedules, voluntary agreement to work - SB 16  
Require notification to state local debt officer when entering into specified financial obligations - HB 435  
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Police officers, alternative work schedules, voluntary agreement to work - SB 16  
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Supplemental health insurance for retired city police and fire personnel in city of third class - SB 47  
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Whitesburg, reclassify from fifth to fourth class - SB 179

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**Cities, Classification**

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Police officers, alternative work schedules, voluntary agreement to work - SB 16

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Child support, arrearages, statute of limitation - HB 405  
Direct care staff, ICF/MR resident, failure to supervise, penalties - HB 201  
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Student harassment, intimidation, protection from - HB 91

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Claims, against the state, appropriate funds for - HB 579  
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Coal gasification, special wastes, treatment as - SB 243  
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Military rank, awards, and decorations, penalty for fraudulent claim of - HB 110

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Bad check, increase in collection fee - HB 426  
Buying clubs and vacation clubs, refunds for cancellation of membership in - HB 507  
Natural Gas Acquisition Authority, authorize creation and powers thereof - HB 690  
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Broadcast radio and television towers, exemption from property tax - HB 277  
Missing impaired adults, improve rescue squads and searches for - SB 125  
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on Postsecondary Education, Lisa Frazier Osborne appointment to - SR 268, HR 291  
on Postsecondary Education, Mary S. Hammons appointment to - SR 265, HR 290  
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Employers' Mutual Insurance Authority, David H. Snowden reappointment to - SR 267  
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Housing Corporation Board of Directors, David A. Wombwell to - SR 45



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Policy Research Center, Board, Daniel Hall appointment to - SR 257, HR 299  
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Perpetual care and maintenance cemetery fund requirements, local government exemption - HB 369  
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Board of Housing, Buildings and Construction, composition of - HB 385  
Buying clubs and vacation clubs, refunds for cancellation of membership in - HB 507  
Rental cars, vehicle cost recovery fees on - HB 393  
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Automobile manufacturers and dealers, agreements between - SB 190  
Buying clubs and vacation clubs, contractual rights and limits when canceling membership in - HB 507  
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Electronic claims, pharmacies, requirements for - HB 551  
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Kentucky-grown agricultural products, purchase of - HB 484  
Real estate brokerage, cooperation agreements allowing out-of-state brokers to practice - HB 638  
Sales and use tax, registration required - HB 609  
Self-contained storage units, rights and duties regarding lease of - HB 366  
Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319

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Automobile manufacturers and dealers, agreements between - SB 190  
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Chapter 75 fire protection districts, expansion of territory - HB 293  
Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
Construction contracts, best value specifications for - SB 100  
Coroners, deputies, number of - HB 324  
Courthouse districts, dissolution of - HB 103  
Land use planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322  
Perpetual care and maintenance cemetery fund requirements, local government exemption - HB 369  
Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
Require notification to state local debt officer when entering into specified financial obligations - HB 435  
Special meetings, public agencies - HB 330  
Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319  
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Require notification to state local debt officer when entering into specified financial obligations - HB 435  
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Absentee ballots, voting machines, examination of - HB 479  
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Firefighter license plates, allow profession firefighters to apply for - SB 135  
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Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
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Judicial  
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### Court, Supreme

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Bail, uniform schedule of - SB 92  
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### Courts

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Child support, arrearages, statute of limitation - HB 405  
Courthouse districts, dissolution of - HB 103  
Foster children, court records, electronic copies permitted - SB 188  
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Branch Budget Memorandum - HJR 83  
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### Courts, Circuit

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Bail, uniform schedule of - SB 92  
Child testimony, when court testimony not required - SB 13  
Fire  
protection sprinkler contractors, local Circuit Court as venue to enjoin unlawful practice as - HB 385  
Judicial  
Branch Budget Memorandum - HJR 83  
Branch Budget, appropriation of - HB 408  
Fees, increase in - HB 683  
Juveniles, status offender actions - HB 384

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### Courts, District

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Bail, uniform schedule of - SB 92  
Child testimony, when court testimony not required - SB 13  
Fees, increase in - HB 683  
Foster children, court records, electronic copies permitted - SB 188  
Judicial  
Branch Budget Memorandum - HJR 83  
Branch Budget, appropriation of - HB 408  
Juvenile courts, status offenders - HB 384  
Misdemeanor, expungement of, fee increase - HB 683

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Land use planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322  
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**Crimes and Punishments**

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Felony, incarceration, probation, and parole, terms and conditions of - HB 406

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Child testimony, when court testimony not required - SB 13  
Felony, incarceration, probation, and parole, terms and conditions of - HB 406  
Penal Code, Kentucky, commission to study - SJR 80  
Sex crimes, victims, polygraph prohibited - SB 151  
offenses against children, increase misdemeanor statute of limitations for - HB 211  
Sexual abuse of children, modifications to age ranges and prohibitions against - HB 211  
Victim impact statement, family of deceased victim - SB 46

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**Crimes and Punishments**

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Accident, leaving scene of, penalty increase - HB 170  
Alcohol vaporizing devices, prohibit - HB 202  
Bad check, increase in collection fee - HB 426  
Bail, uniform schedule of - SB 92  
Barbering statutes and regulations, misdemeanor offenses for violations of - SB 30  
Bond, bail, fee for taking of, increase - HB 683  
Child abuse, dependency, and neglect, increase penalties for failing to report - HB 211  
testimony, when court testimony not required - SB 13  
Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
Direct care staff, ICF/MR resident, failure to supervise, penalties - HB 201  
DNA sample, collection of, all felons - HB 683  
Driving on expired license, exemption for returning military personnel - HB 168  
Ferrous and nonferrous metals, requirements for sale and acquisition - HB 106  
Military rank, awards, and decorations, prohibit misuse - HB 110  
Monitoring device, capabilities of - HB 683  
Parole, hearing requirements - HB 683  
Penal Code, Kentucky, commission to study - SJR 80  
Sex offenses against children, increase misdemeanor statute of limitations - HB 211  
Sexual abuse of children, modifications to age ranges and prohibitions against - HB 211

Misconduct, technical correction - SB 174  
Torture of dog or cat, Class D felony - SB 58  
Victim impact statement, family of deceased victim - SB 46

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Accident, leaving scene of, penalty increase - HB 170  
Alcohol vaporizing devices, prohibit - HB 202  
Bad check, increase in collection fee - HB 426  
Bail, uniform schedule of - SB 92  
Bond, bail, fee for taking of, increase - HB 683  
Child testimony, when court testimony not required - SB 13  
Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
DNA sample, collection of, all felons - HB 683  
Driving on expired license, exemption for returning military personnel - HB 168  
Felony, incarceration, probation, and parole, terms and conditions of - HB 406  
Ferrous and nonferrous metals, requirements for sale and acquisition - HB 106  
Monitoring device, capabilities of - HB 683  
Parole Board, membership and hearing requirements - HB 683  
Penal Code, Kentucky, commission to study - SJR 80  
Sex crimes, victims, polygraph prohibited - SB 151  
offenses against children, increase misdemeanor statute of limitations for - HB 211  
Torture of dog or cat, Class D felony - SB 58  
Victim impact statement, family of deceased victim - SB 46

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**Deaths**

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Legally adopted children, survivor benefits for - SB 131  
Perpetual care and maintenance cemetery fund requirements, local government exemption - HB 369  
Vital Statistics Branch, certificates of death, issuance of - HB 36

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Mailing address of party contractually responsible for real property tax payment, included in deed - HB 182  
Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
Self-contained storage units after lease default, operator's and creditor's rights to contents of - HB 366

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**Disabilities and the Disabled**

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Care partnerships program, establish - HB 259  
Direct care staff, ICF/MR resident, failure to supervise, penalties - HB 201  
Employee toilet facility, use by persons, establish - HB 594

Interpreter training program, public university, conduct of - SB 90  
 Missing impaired adults, improve rescue squads and searches for - SB 125  
 Parking permits, nurse practitioners, permit to sign form - HB 388  
 Personal emergency response systems, supervision of - SB 57  
 Veterans, annual homestead filing requirement, exemption - HB 284

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### Diseases

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Animal identification program, participation in - HB 495  
 Blood donation, age 16 years, parental consent for - HB 139  
 Childrens' metabolic conditions, special foods, insurance coverage - SB 149  
 Colon Cancer Screening Program, establishment of - HB 415  
 Colorectal cancer screening, health insurance, required coverage by - SB 96  
 Data on health care costs, quality and outcomes, report required - HB 44  
 Employee toilet facility, use by persons, establish - HB 594  
 Health benefit plan, coverage of mammograms by - HB 316  
 HIV, confirmatory test requirement, delete - HB 540  
 Immunization certificate for hepatitis B, require on school file - SB 118  
 Speech and language pathology, license to treat - HB 29

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### Dogs

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Quarantine of service animals that have bitten humans, exemption for - SB 159  
 Torture of dog or cat, Class D felony, when - SB 58

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### Domestic Relations

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Child  
 support, arrearages, license suspension - HB 405  
 testimony, when court testimony not required - SB 13

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### Drugs and Medicines

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Data on health care costs, quality and outcomes, report required - HB 44  
 Family resource youth services centers, health services, may provide - HB 640  
 HIV, confirmatory test requirement, delete - HB 540  
 Metabolic conditions, special foods, insurance coverage - SB 149  
 Ocular devices containing pharmaceutical agents, authority to dispense and prescribe - SB 21  
 Over-the-counter drug, sales and use tax, exempt from - HB 538

Pharmacy technician registration, qualifications for - HB 328

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Coal severance projects, process for - HB 410  
 Kentucky  
 Innovation Act, amendment of funds relating to - HB 759  
 Jobs Development Act, changes to the definition of "service and technology" - SB 155  
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Alternative  
 certification for veterans - HB 607  
 certification option 7, institutes for math and science teachers - SB 64  
 certification option 7, institutes for math and science teachers, funds for - SB 64  
 Construction contracts, best value specification for - SB 100  
 Education  
 Professional Standards Board, Bobbie Sammons Stoess appointment to - HR 287  
 Professional Standards Board, Gregory E. Ross appointment to - HR 288  
 Professional Standards Board, Mary S. Hammons appointment to - HR 290  
 Professional Standards Board, Sandy Sinclair-Curry appointment to - HR 289  
 Professional Standards Board, Thomas James Stull appointment to - HR 284  
 Educational opportunities for military children, compact for - SB 68  
 Family  
 resource youth services centers, health services, may provide - HB 640  
 resource youth services centers, specify requirements for - SB 192  
 Growth nickels and equalization, authorize in statute - HB 734  
 Immunization certificate for hepatitis B, require on school file - SB 118  
 Kentucky  
 educational excellence scholarships, renewal, eligibility requirements for - SB 75  
 Energy Efficiency Program, enrollment in required - HB 2  
 Local board of education, surplus technology property, distribution policy on - SB 129  
 Personnel decisions, notification by school districts - SB 157  
 Postsecondary Education, Donna Moore Campbell appointment to - SR 262  
 School  
 personnel, tuberculosis risk assessment requirements for - HB 187  
 principal, selection - SB 86

Science  
and mathematics advancement fund, establishment of - SB 2  
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Speech and language pathologist and audiologists, licensure requirements for - HB 29  
State/Executive  
Branch Budget Memorandum - HJR 81  
Branch Budget, appropriation of - HB 406  
Student  
dental exam or screening, student requirement for - HB 186  
harassment, intimidation, protection from - HB 91  
harassment, intimidation, reporting of incidents - HB 91  
Study of the Holocaust, develop curriculum guide to include - HJR 6  
Teachers, retirement - HB 470  
Termination of contract, notification by certified staff - SB 157  
Transportation, reporting nonpublic school pupils and funds - HB 655

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#### Education, Finance

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AP and IB course exams, payment of - SB 2  
Bonds, extend allowable maturity date of - HB 514  
Certification incentive fund - SB 64  
College scholarships, requirements for - HB 694  
Growth nickels and equalization, authorize in statute - HB 734  
Kentucky  
educational excellence scholarships, renewal, eligibility requirements for - SB 75  
Teachers' Retirement System, funding schedule - HB 470  
Local board of education, surplus technology property, distribution policy on - SB 129  
Science and mathematics advancement fund, establishment of - SB 2

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#### Education, Higher

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College scholarships, requirements for - HB 694  
Colon Cancer Screening Program, establishment of - HB 415  
Construction contracts, best value specification for - SB 100  
Higher education bonds, extend allowable maturity date of - HB 514  
Interpreter training program, public university, establishment of - SB 90  
Kentucky  
educational excellence scholarships, renewal, eligibility requirements for - SB 75  
Teachers' Retirement System, participation option, university personnel - SB 65  
Legally adopted children, survivor benefits for - SB 131  
Regional universities, rename - SB 157

State/Executive  
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Branch Budget, appropriation of - HB 406  
STEM Initiative fund, establishment of - SB 2  
Tuition, in-state for siblings of graduates - HB 694

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#### Education, Vocational

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Educational opportunities for military children, compact for - SB 68  
State/Executive  
Branch Budget Memorandum - HJR 81  
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#### Effective Dates, Delayed

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August 1, 2008 - HB 182  
Child booster seats requirement, courtesy warning until July 1, 2009 - SB 120  
January 1, 2009 - SB 76  
Dental exam or screening, student requirement for 2010-2011 school year - HB 186  
Over-the-counter drug, sales and use tax, exempt from - HB 538  
Sales and use tax, streamlined sales tax agreement, conforming changes, August 1, 2008 - HB 629

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#### Effective Dates, Emergency

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Abandoned property, travelers' checks - HB 608  
Alternative certification of teachers - SB 64  
BR 1068, July 1, 2008 - HB 470  
Courthouse districts, dissolution of - HB 103  
Kentucky Teachers' Retirement, optional retirement - SB 65  
Judicial  
Branch Budget Memorandum - HJR 83  
Branch Budget, appropriation of - HB 408  
Legislative  
Branch Budget Memorandum - HJR 82  
Branch Budget, appropriation of - HB 407  
Personnel decisions, notification by school districts - SB 157  
Sales and use tax, vendor compensation capped - HB 538  
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Branch Budget Memorandum - HJR 81  
Branch Budget, appropriation of - HB 406

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#### Elections and Voting

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Registry of Election Finance, Kristen Webb, appointment to - SR 271  
Timetable for solicitation of signature for nomination papers, establishment of - HB 370  
Write-in candidate, eligibility of - HB 479

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#### Embalmers and Funeral Directors

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Indigent Veterans' Burial Program, create - HB 227



Local government exemption, perpetual care and maintenance cemetery fund requirements - HB 369  
Vital Statistics Branch, certificates of death, issuance of - HB 36

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### Emergency Medical Services

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Missing impaired adults, improve rescue squads and searches for - SB 125  
Personal emergency response systems, supervision of - SB 57  
Trauma care system, establish - HB 371

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### Energy

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Coal gasification, special wastes, treatment as - SB 243  
Hazardous waste management fund, energy recovery incineration, rate imposed for - SB 69  
Natural Gas Acquisition Authority, authorize creation and powers thereof - HB 690  
Net electricity metering, add wind, water, or other renewable source of energy - SB 83  
Underground facilities, damage protection thereof - HB 649

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### Engineers and Surveyors

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Capital construction, best value specifications for - SB 100  
Licensure board, requirements for appointment of engineer and land surveyor members to - HB 509  
Metes and bounds descriptions, only licensed land surveyors to perform - HB 510

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### Environment and Conservation

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Kentucky Recreational Trails Authority, revise membership, enable land contracts - SB 196  
Land Stewardship and Conversation Task Force, reauthorize - HCR 93  
Plastic container labeling, modifications - HB 233  
Special wastes, coal gasification waste, treatment as - SB 243  
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Board of Barbering, independent contract owner renewal license fee to be charged by - SB 30  
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Cabinet for Health and Family Services, trauma care system, establish - HB 371  
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Certification incentive fund - SB 64  
Claims, against the state, appropriate funds for - HB 579  
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Deer population control, dangers, direct agency study - HJR 130  
Department for Public Health, Colon Cancer Screening Program, establishment of - HB 415  
Energy efficient systems, ENERGY STAR housing, tax credit - HB 2  
Finance and Administration Cabinet, enterprise collections, return to agencies - HB 610  
Growth nickels for schools, authorize in statute - HB 734  
HIV, confirmatory test requirement, delete - HB 540  
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Housing Corporation, increase debt limit of - HB 373  
Mailing address of party contractually responsible for real property tax payment, included in deed - HB 182  
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Care partnerships program, establish - HB 259  
Direct care staff, ICF/MR resident, failure to supervise, penalties - HB 201

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Electronic waste disposal and recycling, direct EPPC to submit report on - SJR 76  
Methamphetamine-contaminated property, establish tiered response system for - HB 765  
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**Health and Medical Services**

Blood donation, age 16 years, parental consent for - HB 139  
 Breast and cervical cancer treatment, Medicaid coverage for - SB 98  
 Care partnerships program, establish - HB 259  
 Child care provider, tuberculosis risk assessment requirements for - HB 187  
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 Electronic  
 claims, pharmacies, requirements for - HB 551  
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 Family resource youth services centers, health services, may provide - HB 640  
 Health  
 benefit plan, coverage of mammograms by - HB 316  
 care providers, payment or fee schedules provided to - HB 440  
 care licensing, authority to dispense ocular devices and nurse licensure as aspects of - SB 21  
 HIV, confirmatory test requirement, delete - HB 540  
 Immunization certificate for hepatitis B, require on school file - SB 118  
 Metabolic conditions, special foods, insurance coverage - SB 149  
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 Pharmacy technician registration, qualifications for - HB 328  
 Physician assistants, training and experience, requirements for - HB 458  
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Colorectal cancer screening, health insurance, required coverage by - SB 96  
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 benefit plan, coverage of mammograms by - HB 316  
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"Skaggs Brothers Highway," designate in Lawrence County - SB 135  
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 Golf carts, allow local governments to adopt ordinances permitting use on designated public roads - SB 93

**Historical Affairs**

Historic properties preservation list, Henry Clay Law Office, removal from - SB 127  
 Vest Lindsey House, establish as state meeting house - HB 605

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Care partnerships program, establish - HB 259  
 Physician assistants, training and experience, requirements for - HB 458  
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Board of Housing, Buildings and Construction, composition of - HB 385  
 Capital construction, best value specifications for - SB 100  
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 Home inspectors, licensing of - SB 22  
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 Board of Architects, powers and duties of - SB 23  
 Homeownership Protection Center, create - HB 552  
 Manufactured or mobile homes, installation stickers for - SB 76  
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Acts of person licensed as both agent and consultant, restrictions on - HB 334  
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Health  
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care providers, payment or fee schedules provided to - HB 440  
Metabolic conditions, special foods, insurance coverage - SB 149  
Physician, expedited credentialing - HB 440  
Public Employee Health Insurance Program plan, administration and reporting - HB 321  
Rate filing, actuarial memorandum included in - HB 440  
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Natural Gas Acquisition Authority, authorize creation and powers thereof - HB 690

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Kentucky Recreational Trails Authority, revise membership, enable land contracts - SB 196  
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Planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322  
Stream restoration and mitigation authorities, creation of - HB 717  
Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319  
Wildlife causing property damage, taking and using permitted out of season - HB 618

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Self-contained storage units, rights and duties regarding lease of - HB 366

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Accountants, exemptions for out-of-state persons - SB 49  
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Boxing, kickboxing, mixed martial arts, wrestling show participants, licensing of - HB 684  
Child care provider certification, tuberculosis risk assessment requirements for - HB 187  
Dental services, charitable organizations, waive requirements for HB - 186  
Dieticians and nutritionists board, inactive or related license or certificate status granted by - SB 158  
Driver's license, suspension, child support - HB 405  
Engineer and land surveyor licensure board, requirements for appointment of members to - HB 509  
Fire  
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Health care licensing, authority to dispense ocular devices and nurse licensure as aspects of - SB 21  
Home inspectors - SB 22  
Land surveyors, metes and bound descriptions to be exclusively performed by - HB 510

Pharmacy technician registration, qualifications for - HB 328  
 Real estate brokerage, cooperation agreements allowing out-of-state brokers to practice - HB 638  
 State university interpreter program, operation of, conditions to be met - SB 90

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Chapter 75 fire protection districts, expansion of territory - HB 293  
 Cities of the first class, employees' activities involving ballot initiatives, restriction - SB 16  
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 County coroners, deputies, number of - HB 324  
 Courthouse districts, dissolution of - HB 103  
 Fire call reports and report summaries, delivery to fire commission - HB 475  
 Golf carts, allow local governments to adopt ordinances permitting use on designated public roads - SB 93  
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 Land use planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322  
 Missing impaired adults, improve rescue squads and searches for - SB 125  
 Nuisance abatement, third- and fourth-class cities - HB 88  
 Perpetual care and maintenance cemetery, fund requirements, exemption - HB 369

Police officers in cities of the second class, alternative work schedules, voluntary agreement to work - SB 16  
 Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
 Require notification to state local debt officer when entering into specified financial obligations - HB 435  
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 Supplemental health insurance for retired city police and fire personnel in city of third class - SB 47  
 Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319  
 Water districts, extension and formation of - HB 83  
 Whitesburg, reclassify from fifth to fourth class - SB 179

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 Alcohol vaporizing devices, prohibit - HB 202  
 Annexation, when existing city-owned utility infrastructure already present - HB 506  
 Bad check, increase in collection fee - HB 426  
 Broadcast radio and television towers, exemption from property tax - HB 277  
 Chapter 75 fire protection districts, expansion of territory - HB 293  
 Cities of the first class, employees' activities involving ballot initiatives, restriction - SB 16  
 Compensatory leave time, city employees, applicable to - HB 365  
 Construction contracts, best value specification for - SB 100  
 County board of elections, expanded duties of - HB 479  
 Courthouse districts, dissolution of - HB 103  
 Employee toilet facility, use by persons, establish - HB 594  
 Ferrous and nonferrous metals, requirements for sale and acquisition - HB 106  
 Firefighter special license plate, omnibus revisions - SB 135  
 Golf carts, allow local governments to adopt ordinances permitting use on designated public roads - SB 93  
 Juvenile Court, status offenders - HB 384  
 Land use planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322  
 Local government insurance premium tax - HB 524  
 Manufactured or mobile homes, installation stickers for - SB 76  
 Methamphetamine-contaminated property, post notice of quarantine for - HB 765  
 Missing impaired adults, improve rescue squads and searches for - SB 125  
 Perpetual care and maintenance cemetery fund requirements, local government exemption - HB 369  
 Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
 Sex crimes, victims, polygraph prohibited - SB 151  
 Supplement health insurance for retired city police and fire personnel in city of third class - SB 47

Timetable for solicitation of signature for nomination papers, establishment of - HB 370  
Torture of dog or cat, Class D felony - SB 58  
Underground facilities, damage protection thereof - HB 649  
Unemployment insurance, confidentiality of information and records - SB 146

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Care partnerships program, establish - HB 259  
Electronic claims, pharmacies, requirements for - HB 551  
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"Skaggs Brothers Highway," designate in Lawrence County - SB 135  
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Direct care staff, ICF/MR resident, failure to supervise, penalties - HB 201  
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Missing impaired adults, improve rescue squads and searches for - SB 125

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Driving on expired license, exemption for returning military personnel - HB 168  
Educational opportunities for military children, compact for - SB 68  
Gold Star Spouses license plates, authorize, exempt from fees - HB 239  
Indigent Veterans' Burial Program, create - HB 227  
Kentucky Medal for Freedom, fallen Kentuckians - HB 65  
National Guard, surviving spouse, license plates - SB 150  
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Soldiers' and Sailors' Civil Relief Act, change name - SB 169

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**Minerals and Mining**

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Coal gasification waste, special wastes, treatment as - SB 243

Mine Safety Review Commission, Stanton Cave appointment to - SR 272  
Stream restoration and mitigation authorities, creation of - HB 717

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Commercial motor vehicle, issuance of temporary registration - HB 606  
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Accident reports, sharing data on vehicle accident information - HB 696  
Accident, leaving scene of, penalty increase - HB 170  
Automobile manufacturers and dealers, agreements between - SB 190  
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Classic motor vehicle project titles, establish procedures for - HB 676  
Commercial motor vehicle, issuance of temporary registration - HB 606  
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Driver's license, suspension, child support - HB 405  
Driving on expired license, exemption for returning military personnel - HB 168  
DUI service fee, increase - HB 683  
Firefighter special license plate, omnibus revisions - SB 135  
Gold Star Spouses license plates, authorize, exempt from fees - HB 239  
Golf carts, allow local governments to adopt ordinances permitting use on designated public roads - SB 93  
Kentucky State Horse Park, restrictions on certain vehicles and trailers - HB 583  
Motor fuel for motor vehicles and motorboats, repayment and additional charges for retail theft of - SB 136  
Nonprofit organizations, exempt motor vehicles from motor carrier regulations - HB 204  
Rental cars, vehicle cost recovery fees on - HB 393  
Retail sales contract, debt cancellation agreement - SB 167

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Buying clubs and vacation clubs, required contractual notice regarding canceling membership in - HB 507  
Commercial real estate brokerage cooperation agreement, notice of affiliation a required part of - HB 638  
Motor fuel, required notices for repayment and service charges regarding retail theft of - SB 136  
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**Nuisances**

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Abatement in third- and fourth-class cities - HB 88  
Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319

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Disciplinary action, drug abuse or criminal conviction as a basis for - SB 21  
Family resource youth services centers, health services, may provide - HB 640

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Physician assistants, training and experience, requirements for - HB 458

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Accountants, licensing exemption for - SB 49  
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Barbering, membership and actions of board - SB 30  
Dentists, waive requirement for services provided through charitable organizations by - HB 186  
Dieticians and nutritionists board, inactive or related license or certificate status granted by - SB 158  
Engineer and land surveyor licensure board, requirements for appointment of members to - HB 509  
Ferrous and nonferrous metals, requirements for sale and acquisition - HB 106  
Fire  
protection sprinkler contractors, local Circuit Court as venue to enjoin unlawful practice as - HB 385  
sprinkler contractors, conditions warranting proof of licensure - HB 385  
sprinkler contractor, administrative fine increased - HB 385  
Health care licensing, authority to dispense ocular devices and nurse licensure as aspects of - SB 21  
Home inspectors, licensing of - SB 22  
Interpreters, state university training program, implementation of, normal student load exemption - SB 90  
Land surveyors, metes and bound descriptions to be exclusively performed by - HB 510  
Pharmacy technician registration, qualifications for - HB 328  
Physical therapists, licensing of - SB 173  
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Real estate brokerage, cooperation agreements allowing out-of-state brokers to practice - HB 638  
Speech and language pathologist and audiologists, licensure requirements for - HB 29

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Natural Gas Acquisition Authority, authorize creation and powers thereof - HB 690

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Ocular devices containing pharmaceutical agents, authority to dispense and prescribe - SB 21

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Blood donation, age 16 years, parental consent for - HB 139  
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Kentucky State Horse Park, restrictions on certain vehicles and trailers - HB 583  
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Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
Consolidated local governments, police officers' activities involving ballot initiatives - SB 16  
Methamphetamine-contaminated property, post notice of quarantine for - HB 765  
Missing impaired adults, improve rescue squads and searches for - SB 125  
Quarantine of service animals that have bitten humans, exemption for - SB 159  
Sex crimes, victims, polygraph prohibited - SB 151

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Public Employee Health Insurance Program plan, administration and reporting - HB 321  
State employees, optional dental and vision insurance, repeal of - HB 633  
Unemployment insurance, confidentiality of information and records - SB 146  
Workers' compensation insurance, termination of policy, notice required - HB 534

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Electronic  
claims, pharmacies, requirements for - HB 551  
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Ocular devices containing pharmaceutical agents, authority to dispense and prescribe - SB 21  
Pharmacy technician registration, qualifications for - HB 328

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Colon Cancer Screening Program, establishment of - HB 415



Data on health care costs, quality, and outcomes, report required - HB 44  
Dental exam or screening, student requirement for - HB 186  
Dental services, charitable organizations, waive license requirement for - HB 186  
Family resource youth services centers, health services, may provide - HB 640  
HIV, confirmatory test requirement, delete - HB 540  
Kentucky Boxing and Wrestling Medical Advisory Panel, creation of - HB 684  
Managed care plans, expedited credentialing - HB 440  
Ocular devices containing pharmaceutical agents, authority to dispense and prescribe - SB 21  
Physical therapists, licensing of - SB 173  
Physician assistants, training and experience, requirements for - HB 458  
Workers' compensation, AMA Guides, adopt fifth edition - SB 199

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Land use planning goals, objectives, action by legislative bodies and fiscal court, requirement for - HB 322

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Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
Consolidated local governments, police officers' activities involving ballot initiatives - SB 16  
Ferrous and nonferrous metals, requirements for sale and acquisition - HB 106  
Police officers in cities of the second class, alternative work schedules, voluntary agreement to work - SB 16  
Quarantine of service animals that have bitten humans, exemption for - SB 159  
Sex crimes, victims, polygraph prohibited - SB 151  
Supplemental health insurance for retired city police in city of third class - SB 47

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Accident reports, sharing data on vehicle accident information - HB 696  
Confiscated firearms, auction of, permitted uses of proceeds from - HB 639  
Confiscated firearms, responsibility for auction of, transfer to State Police - HB 639  
Methamphetamine-contaminated property, coordinate and establish tiered response system for - HB 765  
Missing impaired adults, improve rescue squads and searches for - SB 125  
Quarantine of service animals that have bitten humans, exemption for - SB 159  
Sex crimes, victims, polygraph prohibited - SB 151

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**Pollution**

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Electronic waste disposal and recycling, direct EPPC to submit report on - SJR 76  
Plastic container labeling, modifications - HB 233  
Stream restoration and mitigation authorities, creation of - HB 717

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Family resource youth services centers, specify requirements for - SB 192

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Felony, incarceration, probation, and parole, terms and conditions of - HB 406  
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Abandoned property, travelers' checks - HB 608  
Commercial real estate, cooperation agreements allowing out-of-state brokers to buy or sell - HB 638  
Land surveyors, metes and bound descriptions to be exclusively performed by - HB 510  
Methamphetamine-contaminated, establish tiered response system for - HB 765  
Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
Real estate, Commonwealth leasing procedures in a foreign jurisdiction - HB 625  
Self-contained storage units, operator's lien on personal property contained in - HB 366  
Totally disabled veterans, annual homestead filing requirement, exemption - HB 284  
Voluntary agreements, enable demolition or removal of dilapidated buildings - HB 319

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Property taxes, mailing address of party contractually responsible for payment, inclusion in deed - HB 182  
Totally disabled veterans, annual homestead filing requirement, exemption - HB 284

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Prosecutors Advisory Council, technical correction - SB 226

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Juvenile court, status offender actions - HB 384

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Adoption assistance, conform to federal law for - SB 132

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Kentucky Housing Corporation, increase debt limit of - HB 373  
Natural Gas Acquisition Authority, authorize creation and powers thereof - HB 690  
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Courthouse districts, dissolution of - HB 103  
Employee toilet facility, use by persons, establish - HB 594  
High-performance building standards, use of required - HB 2  
Historic properties preservation list, Henry Clay Law Office, removal from - SB 127  
State-owned facilities, maintenance and renovation of - SB 189  
Vest Lindsey House, establish as state meeting house - HB 605

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**Public Health**

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Blood donation, age 16 years, parental consent for - HB 139  
Breast and cervical cancer treatment, Medicaid coverage for - SB 98  
Child care provider and school personnel, tuberculosis risk assessment requirements for - HB 187  
Employee toilet facility, use by persons, establish - HB 594  
HIV, confirmatory test requirement, delete - HB 540  
Immunization certificate for hepatitis B, require on school file - SB 118  
Methamphetamine-contaminated property, establish tiered response system for - HB 765  
Speech and language pathologists and audiologists, licensure requirements for - HB 29  
Trauma care system, establish - HB 371  
Vital Statistics Branch, certificates of death, issuance of - HB 36

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**Public Medical Assistance**

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**Public Officers and Employees**

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Cities of the first class, employees' activities involving ballot initiatives, restriction - SB 16  
County coroners, deputies, number of - HB 324  
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Accident reports, limit distribution of to involved parties, media, and vehicle safety data entities - HB 696  
Reports and report summaries, delivery to fire commission - HB 475  
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