2024 Legislative Update

Updates from the Capitol
Legislative Research Commission CLE

SENATOR WHITNEY WESTERFIELD

REPRESENTATIVE DANIEL ELLIOTT

1,218

Bills Filed in 2024

216

Bills Passed in 2024

17.73%

2024 Bill Passage Rate

18.97%

Average Rate Over the Last 5 Years

2024 Session Highlights

SB 1 – Endowed Research Fund

- Establishes an endowed research fund to be administered by the Council on Postsecondary Education (CPE) to fund research consortiums between two or more public universities;
- Directs CPE to solicit, accept, and review applications to determine five research consortiums;
- The selected consortiums shall receive seed funding for five years; and
- Designates the Kentucky Spinal Cord and Head Injury Research Trust as one of the initial five research consortiums.

SB 2 – Student Safety

- Amends KRS 156.095 to require schools to provide suicide prevention awareness twice a year;
- Establishes a framework for the employment of guardians in schools and specifies the qualifications of a guardian;
- Amends KRS 158.441 to specify required certifications of a "school resource officer" (SRO);
- Creates the School Mapping Data Program for every school for use by emergency responders; and
- Requires KDE to gather, compile, and report data information.

SB 5 – Hunting and Fishing

- Amends KRS 150.170 to remove the requirement that resident owners of farmlands own five or more acres of land to qualify for the exemption from sport hunting and sport fishing license requirements when hunting or fishing on their own farmlands.

SB 11 – School Notification of Juvenile Charges

- Amends KRS 610.345 to require a court-designated worker to provide notice to the school which the child attends of a felony charge or a misdemeanor charge involving:
  - A controlled substance;
  - The possession, carrying, or use of a deadly weapon;
  - Sexual contact, sexual intercourse, or deviate sexual intercourse; or
  - Physical injury to another person;

  prior to the filing of a public offense petition against the child.

SB 14 – Beauty Services

- Adds a licensed nail technician to the board;
- Replaces one citizen-at-large board position with a licensed esthetician;
- Amends KRS 317A.020 to specify emergency order and hearing procedures for alleged violations; and
- Allows cosmetologists and nail technicians to use callus graters for callus removal.

SB 16 – Key Infrastructure Assets

- Amends KRS 511.100 to add commercial food manufacturing or processing facility, animal feeding operation, and concentrated animal feeding operation to the definition of "key infrastructure assets;"
- Specifies a person commits the offense of trespass upon key infrastructure assets if he or she knowingly and without consent operates an unmanned aircraft system, video or audio recording device, or photography equipment on or above the assets, or records or distributes unauthorized images or material of the assets; and
- Establishes a Class B misdemeanor for violations.

SB 20 – Juvenile Transfer

- Amends KRS 635.020 to provide that a child 15 years of age or older who is charged with a Class A, B, or C felony involving the use of a firearm shall be transferred to Circuit Court to be tried as an adult;
- Provides that the Commonwealth's attorney may transfer the child back to District Court after consultation with the county attorney;
- Provides that the Circuit Court may transfer the child back to District Court if the Circuit Court finds that fewer than two of the factors listed in KRS 640.010 favor keeping the child in Circuit Court; and
- Provides that a child who has been convicted of a Class A, B, or C felony involving the use of a firearm shall not be eligible for probation or conditional discharge in a proceeding consistent with KRS 640.030.

SB 29 – Property and Casualty Insurance

- Creates a new section of Subtitle 20 of KRS Chapter 304 to prohibit assignments by an insured of the insured's duties, rights, or benefits under a property or casualty insurance policy;
- Does not prohibit the assignment of rights to seek damages related to a personal injury or tort case arising from a settlement, verdict, or resulting judgment against the insured in excess of the insured's liability coverage, subject to available defenses;
- Amends KRS 304.20-060 to insert definitions and to modify the coverage required for the repair or replacement of damages to motor vehicle glass;
- Prohibits requiring an insured's use of a particular motor vehicle glass repair shop;

SB 29 - Continued

- Amends KRS 304.39.320 to modify the credit to which an underinsured motorist insured is entitled when providing UIM coverage;
- Creates a new section of KRS Chapter 367 to regulate motor vehicle glass repair shop practices relating to motor vehicle insurance claims, establish remedies, and authorize enforcement;
- Applies to insurance policies issued or renewed on or after the effective date of the Act; and
- Emergency clause; signed by the Governor on April 2, 2024.

SB 45 – Kentucky Alert Systems

- Creates the Kentucky Ashanti Alert System administered by KSP to provide public notification through media providers and highway signs when an adult is missing and may have been abducted or kidnapped, or may be in physical danger; and
- Creates the Kentucky Ian Alert System administered by KSP to provide public information through media providers and highway signs when a child is missing and may be in physical danger.

SB 46 – Window Tint

- Permits the application of sunscreening material to a windshield with a light transmittance of not less than 70 percent.

SB 58 – Property Tax Petitions

- Amends KRS 132.017 to reduce the number of qualified voters needed to form a petition committee;
- Allows each sheet of the petition to contain the names of voters from more than one voting precinct;
- Removes the requirement that petition signees provide a Social Security number or the name and number of their designated voting precinct on the petition; and
- Requires petition signees to put their birth year on the petition.

SB 71 – Health Services

- Creates a new section of KRS Chapter 31 to establish procedures relating to the alternative sentencing worker program within the Department of Public Advocacy;
- Amends KRS 202A.041 establishing compensation parameters when a sheriff or other peace officer is required to remain with a person pending an evaluation by a contract mental health evaluator;
- Amends KRS 205.200 relating to residency requirements for Medicaid to prohibit relocation to Kentucky solely to receive medical services using Medicaid;

SB 71 - Continued

- Requires any substance use disorder program that holds a chemical dependency treatment services license, or a recovery residence under KRS Chapter 222, to obtain agreement from a resident's family member, guardian, or emergency contact to personally transport any resident or make transportation services available to any resident who wishes to leave the treatment program, except where prohibited by federal law;
- Authorizes the facility to notify the court, attorney for the Commonwealth, local law enforcement, and others if a resident leaves a facility prior to court approval or completion of court-ordered conditions;

SB 71 - Continued

- Requires facilities governed by KRS Chapter 222 to provide full disclosure of the services they provide to potential patients, including in advertisements or other solicitations;
- Prohibits substance use disorder facilities or recovery residences from knowingly recruiting any out-of-state resident who is enrolled in Medicaid, or recruiting with the purpose of enrolling the out-of-state resident in Medicaid in Kentucky;
- Requires facilities to submit to the Department for Medicaid Services a recipient's proof of Kentucky residency when seeking Medicaid reimbursement under specified circumstances;

SB 71 - Continued

- Requires the Cabinet for Health and Family Services to publish a list of all qualified treatment programs under KRS Chapter 222;
- Prohibits any person from receiving kickbacks for referrals to treatment facilities; and
- Establishes specified protections, exemptions, and penalties.

SB 74 – Public Health

- Requires health plans to comply with special enrollment and maternity coverage requirements, including coverage for dependents;
- Requires the Department of Medicaid Services and any managed care organization with which the department contracts for the delivery of Medicaid services to provide coverage for lactation consultation and breastfeeding equipment;
- Establishes health insurance coverage for an in-home program and telehealth services;
- Requires Medicaid coverage of maternity services;

SB 74 - Continued

- Amends KRS 205.522 to allow an increase in the Medicaid income limit for certain women and children under specified circumstances;
- Requires that the Kentucky Children's Health Insurance Program (KCHIP) provide maternity coverage;
- Establishes the Kentucky Maternal Psychiatry Access Program (a/k/a the Kentucky Lifeline for Moms) including duties and responsibilities related to the program;
- Requires the department to establish a state maternal fatality review team and requires all state review teams cooperate with the External Child Fatality and Near Fatality Review Panel; and
- Effective, in part, January 1, 2025.

SB 107 - Transportation

- Amends various statutes in KRS Chapters 186 and 189 relating to weight limits and registration fees;
- Directs the state police to engage in a pilot project to provide operator's license skills testing in five counties where testing is not currently offered;
- Requires KSP to include information about the organ donor program in educational materials for driver testing;
- Requires revocation of an operator's license for certain highway work zone violations;

SB 107 - Continued

- Amends various statutes relating to lanes of travel of specified vehicles and operation of vehicles in a work zone;
- Requires towing companies to submit their rate schedules to the nearest KSP post and all local law enforcement agencies in the company's service area in addition to making rates available to the public upon request; and
- Directs KSP and local law enforcement agencies to remove any company not in compliance from the wrecker log for a period of six months for the first violation and one year for any subsequent violation.

SB 111 – Treatment for Stuttering

- Amends various statutes to require designated health plans to comply with the speech therapy coverage requirement;
- Creates a new section of Subtitle 17A of KRS Chapter 304 to require health insurance coverage for speech therapy as a treatment for stuttering; and
- Effective, in part, January 1, 2025.

SB 118 - Trespass

- Amends KRS 520.110 to allow notice of trespass to be given through the placement of identifying purple paint marks on property.

SB 127 – Aerospace Infrastructure

- Establishes the Kentucky Aerospace, Aviation, and Defense Investment Fund Advisory Committee and the Kentucky aerospace, aviation, and defense investment fund to be administered by the Council for Postsecondary Education for the purpose of funding public and private partnerships to provide aviation training scholarships and aviation and aerospace equipment grants with parameters and mandated reports;
- May be cited as the Aerospace Education Reinvestment Opportunity (AERO) Act;
- Sunsets on June 30, 2030.

SB 128 – Youth Employment Programs

- Allows a nonprofit organization to apply to the Department of Workplace Standards to create a work program for minors 12 or 13 years of age within established parameters;
- Requires that the primary benefit of the work performed provide vocational and education value to the minors; and
- Prohibits work during regular school hours but does permit work on school days.

SB 143 – Voting

- Proposes an amendment to the Constitution of Kentucky to prohibit persons who are not citizens of the United States from being allowed in vote in Kentucky;
- Will be on the November, 2024 regular election ballot.

SB 145 – Health Care

- Creates a new section of KRS Chapter 216 to allow health facilities and health care providers enrolled in the Kentucky Medicaid program to submit a current or prospective employee name to a check of the child abuse and neglect or adult abuse registries maintained by the Cabinet for Health and Family Services; and
- Directs the cabinet to establish a process of notification by which the cabinet shall notify a vulnerable adult services provider if a prospective or current employee has appealed a substantiated finding of adult abuse, neglect, or exploitation.

SB 151 – Relative and Fictive Kin Caregivers

- Amends KRS 620.140 to allow a child to submit to the District Court the names of possible relatives or fictive kin caregivers with whom the child could be placed if the court removes the child from his or her home; and
- Amends KRS 620.142 to establish when a relative or fictive kin caregiver can apply to the Cabinet for Health and Family Services to be certified as a child-specific foster home.

SB 155 – Uniform Commercial Code

- Amends various Articles of the UCC to:
  - Address electronic transfers;
  - Modify security procedure requirements relating to funds transfers;
  - Establish governing law standards for letters of credit;
  - Establish control requirements for electronic document of title, security entitlements, chattel paper, electronic money, controllable electronic records, controllable accounts and payment intangibles;
  - Establishes definitions, scope, purchaser rights, control requirements, debtor discharge obligations, and jurisdictional rules relating to controllable electronic records, controllable accounts, and controllable payment intangibles;
- Effective January 1, 2025

SB 167 – Cursive Writing

- Amends KRS 156.160 to require that cursive writing be included as a course of study in all elementary schools beginning in the 2025-2026 school year.

SB 198 – Nuclear Energy

- Establishes the Kentucky Nuclear Development Authority and an advisory board to govern the authority;
- Requires the creation of a financial assistance program to support the nuclear energy ecosystem;
- Requires the Kentucky Nuclear Energy Authority to conduct a study to identify workforce needs to develop and support the nuclear ecosystem and obtain a site suitability study to identify the best potential locations for nuclear facility sites and report findings on or before December 1, 2025; and

SB 198 - Continued

- Establishes that the authority shall, among other directives:
  - Assist interested communities in understanding advanced nuclear opportunities;
  - Provide information to the public;
  - Develop the capacity for nuclear energy development in the Commonwealth;
  - Work with energy communities to assist in exploring nuclear energy opportunities;
  - Engage with United States Department of Energy National Laboratories and private companies to develop technologies to reprocess or recycle spent nuclear fuel; and
  - Create and update at least once every two years a nuclear energy economic impact analysis.

SB 199 – Motor Vehicles

- Amends KRS 138.555 and 186A.520 to replace references to the National Automobile Dealers Association valuation manual with references to a vehicle valuation manual adopted by the Department of Revenue;
- Amends KRS 186.018 to require the Transportation Cabinet to indefinitely keep driving record histories of holders of commercial driver's licenses (CDLs) and commercial learner permits;
- Amends various fee amounts and requirements; and
- Establishes a lifetime CDL revocation penalty for any individual who uses a commercial motor vehicle in human trafficking.

SB 240 – Child Care

- Creates a new section of KRS Chapter 199.892 to 199.896 to allow the Cabinet for Health and Family Services to provide child-care benefits to foster parents who telework inside the home as well as to foster parents who work outside the home;

SB 249 – Sex Offenders

- Creates a new section of KRS 17.500 to 17.780 to define "social media platform";
- Requires sex offenders who have committed a criminal offense against a victim who is a minor to display their full legal name on social media platforms; and
- Provides that any person who violates the requirements shall be guilty of a Class A misdemeanor for the first offense, and a Class D felony for a second or subsequent offense.

SB 265 – Teacher Certification

- Creates a new section of KRS Chapter 161 establishing a teacher induction and mentor program and requiring that the Educational Professional Standards Board develop standards and guidance for the program and develop evaluations for new teachers;
- Amends KRS 161.030 to direct that an individual who completes a preparation program and passes the required assessments shall receive a five-year professional certificate and provides an out-of-state teacher who passes the required assessments shall receive a five-year professional certificate;

SB 265 - Continued

- Removes the teacher internship requirement and directs that teacher certification be awarded upon the successful completion of an educator preparation program or alternative certification pathway and passing the required assessment; and
- Modifies the Option 7 alternative teacher certification pathway to remove specified candidate requirements, allows for provisional certification upon qualifying and enrolling in an approved institute, and establishes conditions for receiving a professional certificate.

SB 285 – Name, Image, and Likeness

- Amends KRS 164.6945 to provide that specified subsections apply to name, image, and likeness agreement activities only to the extent that a national intercollegiate athletic association may lawfully regulate or restrict a student-athlete's agreements to receive compensation in exchange for his or her name, image, and likeness; and
- Provides this shall apply as modified, currently or in the future, by a court of competent jurisdiction and to the extent that the intercollegiate athletic association chooses to do so.

SB 299 – Kentucky Horse Racing Commission

- Replaces the Kentucky Horse Racing Commission with the Kentucky Horse Racing and Gaming Corporation;
- Grants the corporation jurisdiction over all forms of horse racing, horse breed integrity, sports wagering, charitable gaming, and pari-mutuel wagering;
- Excludes the state lottery established under KRS Chapter 154A;
- Abolishes the racing commission and the Department of Charitable Gaming on July 1, 2024 and July 1, 2025 respectively;
- Requires a criminal background check for all board members and staff;

SB 299 - Continued

- Provides transitional direction for employees, records, files and documents; and
- Establishes a charity game ticket moratorium from July 1, 2024 to July 1, 2025 that applies only to playing electronic charity game tickets at additional locations beyond a charity's office, at licensed bingo locations, and at pre-approved charitable fundraising event locations.

SB 319 – Crime Victims

- Amends KRS 49.310 to allow family members and caregivers of a victim to file a claim with the Crime Victims Compensation Board;
- Adds conduct that involved the operator of a vehicle in an accident who acted recklessly or with wantonness in the definition of "criminally injurious conduct";
- Provides that all board decisions and opinions shall be made available on the board's website, not to include personal identifying information of any victim;
- Directs the creation of an electronic application process;

SB 319 - Continued

- Requires notification of all applicants of their right to counsel;
- Establishes a tracking process for all claims filed with the board, including a public portal allowing victims to access the system, with an implementation date of August 1, 2025;
- Adds provisions that a claim may include:
  - Relocation expenses not to exceed $2,000 if the relocation is due to concern for the safety of themselves or other persons at the residence as a result of the crime;
  - Temporary housing costs;
  - Tattoo removal for victims of human trafficking;

SB 319 - Continued

- Crime scene cleanup when the crime was committed at the primary residence or business of the victim, not to exceed $2,000;
- Reimbursement for the replacement of items owned by the victim or any child who is the victim's dependent that were seized as evidence by law enforcement, not to exceed $500 per item;
- Replacement or repair of windows and locks at the primary residence or business of the victim, not to exceed $1,500;
- Rehabilitative or wellness practices recommended by a healthcare provider, not to exceed $1,000 per year for a maximum of two (2) years; and
- Expenses related to court proceedings related to the crime for a victim or for a victim's caregiver;

SB 319 - Continued

- Increased the maximum amount that can be awarded for loss of earnings or financial support from $300 per week to $500 per week;
- Increased the maximum amount that can be awarded for the payment of funeral and burial expenses from $7,500 to $10,000;
- Provides for a potential award for a claim filed more than ten (10) years after the criminally injurious conduct due to a delay in the testing of or DNA profile matching from a sexual assault forensic examination kit or biological material collected as evidence related to a sexual offense, limited to $5,000 to cover out-of-pocket expenses incurred due to the crime which may not be provable due to the delay; and

SB 319 - Continued

- Establishes that there shall be no charge to a victim of a sexual offense for:
  - Sexual assault examinations, whether or not the exam is completed;
  - Prophylactic medical treatment;
  - Strangulation assessments; or
  - Other medical tests or services, including triage and ambulance expenses related to the incident, exam, or treatment occurring on the same date as the original exam.

SB 349 – Energy Policy

- Establishes the Energy Planning and Inventory Commission, administratively attached to the University of Kentucky Center for Applied Energy Research (UK CAER) with members of the commission board and executive committee appointed by the Governor with Senate confirmation;
- Establishes duties of the commission to include the examination and study of energy generation related topics and review of the required decommissioning notices given by utilities;

SB 349 - Continued

- Requires any utility seeking to retire any existing coal, oil, or natural gas-fired electric generating plant to give notice to the executive committee no later than 180 days before submitting a retirement application to the Public Service Commission as required under KRS 278.264;
- Requires the Energy Planning and Inventory Commission to hold a public hearing in the county where the retirement is proposed to occur within 90 days of the notice required above;
- Directs the executive committee to file a report with the Public Service Commission following the public hearing but within 135 days of receipt of the notice of the intent to submit a retirement application with written findings and recommendations regarding the proposed retirement;

SB 349 - Continued

- Provides that the Energy Planning and Inventory Commission shall cease to exist on December 31, 2035; and
- Requires the Public Service Commission to:
  - Issue final orders within eight months of the filing of an application by a utility and find, in order to overcome the rebuttable presumption against the retirement that a utility seeking to retire an electric generating unit:
    - Will replace it with new electric generating capacity that has the same or higher capacity value and net capability, unless the utility can demonstrate that it is not necessary; and
    - That the retirement will not commence until the replacement generating capacity is fully constructed, permitted, and in operation, unless the utility can demonstrate it is necessary to commence the retirement earlier.

HB 2 – School Choice

- Proposes an amendment to the Constitution of Kentucky to authorize the General Assembly to provide financial support for the education of students outside of the public school system;
- Will be on the regular election ballot in November, 2024

HB 3 – Human Trafficking

- Amends KRS 529.110 to align more closely with the federal law by adding to the existing elements, that a person is guilty of promoting human trafficking when the person intentionally "recruits, entices, harbors, transports, provides, obtains, ***advertises, maintains, patronizes, or solicits*** by any means, or attempts to recruit, entice, harbor, transport, provide, obtain, ***advertise, maintain, patronize, or solicit*** by any means, another person, knowing that the person will be subject to human trafficking;
- Creates a new section of KRS Chapter 15 to permit the Attorney General to establish a working group to study all aspects of human trafficking in the Commonwealth, including commercial sexual activity and forced labor or services;

HB 3 - Continued

- Amends KRS 15.706 to include forced labor in reporting data on human trafficking from the Prosecutor's Advisory Council;
- Amends various sections of the KRS to require rest stops, airports, hotels, truck stops, and bus stations to post signs or window clings containing contact information for entities providing assistance to victim of human trafficking; and
- Amends KRS 620.029 to require that the Cabinet for Health and Family Services include additional information regarding human trafficking in its annual report.

HB 5 – Crimes and Punishments

- Commonly cited as the Safer Kentucky Act;
- Creates a new section of KRS Chapter 15A to require the establishment of a local juvenile restorative justice advisory committee in each county or judicial district that shall:
  - Establish sustainable programs that employ restorative practices to identify the underlying causes of negative behavior and empower children, families, and communities to address and prevent issues surrounding incidents of negative behavior; and
  - Develop and implement local restorative justice programs with an established organization to serve children, youth, and families through referrals from the court, CDW, DJJ, public schools, or other social service agencies, or upon the request of a child or family;

HB 5 - Continued

- Creates a new section of KRS Chapter 610 to require at least one (1) parent, guardian, or person exercising custodial control over the child to be present at any proceeding involving the child;
- Amends KRS 610.070 provide that the Court shall make accommodations necessary to allow the person to attend, including remote attendance;
- Failure to appear as ordered shall result in a fine of not more than $500 or participation in up to 40 hours of community service;

HB 5 - Continued

- Amends KRS 439.3401 regarding who is a violent offender by including:
  - The "***attempted commission***" of a capital offense or a Class A felony;
  - The "***attempted commission***" of a felony sexual offense described in KRS Chapter 510; and
  - Any felony involving the death or serious physical injury to a victim;

HB 5 - Continued

- Further amends KRS 439.3401 regarding who is a violent offender to include, in addition to the current listing of offenses, the following offenses:
  - Burglary in the first degree as described in KRS 511.020, if a person other than a participant in the crime was present in the building during the commission of the offense, and requires the court to designate this finding in its judgment;
  - Robbery in the second degree as described in KRS 515.030;
  - Arson in the first degree as described in KRS 513.020;
  - Strangulation in the first degree as described in KRS 508.170;
  - Carjacking (a new section of KRS Chapter 515);
  - A Class C felony violation of promoting contraband in the first degree under KRS 520.050 (as amended); and
  - Wanton endangerment in the first degree as described in KRS 508.060;

HB 5 - Continued

- Provides under KRS 439.3401 that a violent offender with a sentence for a term of years shall not be released on probation, shock probation, parole, conditional discharge, or other form of early release until he or she has served at least 85% of the sentence imposed; and
- Eliminates all earned sentence credits for violent offenders;

HB 5 - Continued

- Creates a new section of KRS Chapter 532:
  - Defines "violent felony" as a felony that would classify a person as a violent offender;
  - A person convicted of a violent offense after previous convictions of two (2) **separate** violent felonies shall be sentenced to:
    - Life without probation or parole if the felony is not a capital offense;
    - Or life without probation or parole or death, if the felony is a capital offense;
  - In determining whether a person has two (2) or more separate violent felony convictions, two (2) or more convictions for which the person served concurrent or uninterrupted consecutive terms of imprisonment shall be deemed to be only one (1) conviction, unless one (1) of the convictions was for an offense committed while that person was imprisoned;

HB 5 - Continued

- Creates a new section of KRS Chapter 532 that a person is not eligible for probation, parole, or any other form of release prior to the completion of the imposed sentence if:
  - A firearm was used in furtherance of the crime, and the person:
  - Has a previous felony conviction;
  - Knew or should have known the firearm used was stolen; or
  - Was on any kind of release after conviction of a violent felony offense;

HB 5 - Continued

- Creates a new section of KRS Chapter 515 establishing the offense of carjacking:
  - A person is guilty of carjacking when he or she takes a motor vehicle in the possession of another without lawful authority or ownership, from the possessor's or passenger's person or immediate presence and against the possessor's or passenger's will by means of force or intimidation with the intent to either permanently or temporarily deprive the possessor of the motor vehicle;
  - A person shall not be convicted of carjacking and a violation of KRS 515.020 (Robbery 1st) or KRS Chapter 514 (theft) arising from the same act;
  - Carjacking is a Class B felony;

HB 5 - Continued

- Creates a new section of KRS Chapter 511 establishing the offense of unlawful camping:
  - Knowingly enters or remains on a public or private street, sidewalk, area under a bridge or underpass, path, park, cemetery, or other area designated for use by pedestrians or vehicles, with intent to sleep or camp, when the area has not been designated for sleeping or camping, and without authorization to sleep or camp in the area;
  - It is a violation for the first offense and a Class B misdemeanor for any second or subsequent offense;
  - Does not restrict temporary use of areas or properties specifically designated for resting or sleeping;

HB 5 - Continued

- Does not prevent a person from sleeping temporarily in his or her vehicle parked lawfully for a period of less than 12 hours;
- A local government may designate indoor and outdoor areas with defined boundaries in an area zoned for commercial or industrial use as a temporary camping location for unsheltered homeless individuals that shall contain potable water and adequate sanitary facilities;

- Creates a new section of KRS Chapter 520 to establish that a person is guilty of fleeing or eluding police in the 3rd degree when, as a pedestrian with the intent to elude or flee, the person disobeys a direction to stop given by a peace officer or while fleeing creates a substantial risk of physical injury to another;

HB 5 - Continued

- Amends KRS 520.095 and 520.100 (fleeing and evading police) to raise the level of the offense and to require the defendant to serve at least 50% of any imposed sentence;
- Creates a new section of KRS Chapter 507 to provide that a person is guilty of murder of a first responder when, with intent, he or she causes the death of a first responder;
  - First responder means a peace officer, EMT or rescue personnel, firefighter, in the lawful performance of his or her duties;
  - Murder of a first responder is a capital offense with a sentence of death or imprisonment for life without benefit of probation or parole;

HB 5 - Continued

- Amends KRS 506.010 to establish that a person convicted or, or who has entered a plea of guilty or nolo contender to, criminal attempt to commit murder of a first responder shall be sentenced for at least 20 years, or for life, or for life without probation or parole until served at least 25 years;
- Amends KRS 532.025 to include intentional killing of a first responder as an aggravating circumstance;
- Amends KRS 532.036 to include that a defendant convicted of the murder or attempted murder of a first responder may be ordered to pay restitution to a minor child or dependent of the first responder;

HB 5 - Continued

- Amends KRS 507.030 (manslaughter 1st) to include knowingly sells fentanyl or a fentanyl derivative to another person that causes the death of the person;
- Amends KRS 507.040 (manslaughter 2nd) to include knowingly distributes fentanyl or a fentanyl derivative to another person without remuneration that causes the death of the person;
- Amends KRS 218A.1412 (trafficking in a controlled substance 1st) to establish that if the substance is fentanyl or a fentanyl derivative and causes the death of a person, the penalty for the offense shall be one level higher than otherwise specified;

HB 5 - Continued

- Amends KRS 520.050 (promoting contraband 1st) to establish that if the dangerous contraband is fentanyl, carfentanil, or a fentanyl derivative, the offense is a Class C felony as opposed to a Class D felony;
- Amends KRS 218A.133 to provide that the amendments to the manslaughter statutes and the trafficking statute noted above will not apply to a person who otherwise meets the good Samaritan law provisions;
- Amends KRS 506.040 to provide for an increased penalty for a person over 18 years of age who engages in a criminal conspiracy with a minor;

HB 5 - Continued

- Amends KRS 512.020 (criminal mischief 1st) and KRS 512.030 (criminal mischief 2nd) to reduce the threshold requirement from $1,000 to $500 and provide for restitution made prior to trial, or community service as determined by the court, as a means to reduce the level of the offense except when the offense is committed during a declared emergency arising from a disaster;
- Amends KRS 514.020 to reduce the time required to establish prima facie evidence of theft by deception of rented or leased property that is not returned to the owner from 10 days to four days;
- Amends KRS 514.030 to lengthen the time period for aggregating theft offenses and to establish venue;

HB 5 - Continued

- Amends KRS 508.075 and 508.078 relating to terroristic threatening to include any workplace or any gathering of three or more persons;
- Amends KRS 524.040 (intimidating a participant in a legal proceeding) to include harassing communications as defined in KRS 525.080;
- Amends KRS 532.110 to provide that sentences for two or more felony sex crimes shall run consecutively and to provide that the defendant shall not be released on probation, parole, or conditional discharge without serving at least 50% of the sentence imposed;
- Amends KRS 431.510 relating to charitable bail organizations;

HB 5 - Continued

- Amends KRS 433.236 to limit liability for shopkeepers;
- Amends KRS 439.320 relating to Parole Board membership and amends KRS 439.330 requiring a 2/3 vote of the entire board for the granting of parole;
- Amends KRS 202C.050 relating to requirements for an involuntary commitment;
- Amends 186.417 to include felony offenders released from county jails and local correctional facilities among those who may be issued personal identification cards or operator's licenses under specified conditions;

HB 5 - Continued

- Amends KRS 158.155 to require any school employee to immediately report to law enforcement:
  - Any knowledge or reasonable cause to believe a person has made threats or plans of violence intended to target a school, or that a firearm is present on school property in violation of the law;
  - Any reasonable cause to believe any of the following has occurred on school property or at a school-sponsored or sanctioned event:
    - Assault resulting in serious physical injury or with the use of a weapon;
    - Sexual offense;
    - Kidnapping;
    - Possession or sale of a controlled substance in violation of the law; or
    - Damage to property;

HB 5 - Continued

- Amends the KRS 500.080 definition of “serious physical injury” to include family members, members of an unmarried couple, and persons in a dating relationship.

HB 7 – Autonomous Vehicles

- Creates various sections of KRS Chapter 186 to establish a regulatory framework for the operation of fully autonomous vehicles on public highways;
- Effective in part August 1, 2026.

HB 11 – Nicotine Products

- Amends KRS 241.060 to authorize the State Alcoholic Beverage Control Board to conduct hearings and appeals;
- Amends KRS 438.305 to:
  - Prohibit a retailer from selling Tobacco Control Act products to persons under 21 years of age;
  - Require the Secretary of State to create and publish a list of specified tobacco product retailers;
  - Establish requirements for the Department of Alcohol Beverage Control to create and maintain a tobacco noncompliance data base and reporting system; and
  - Establish and impose fines for wholesalers that unlawfully sell to a retailer that is in a noncompliance data base;
- Effective January 1, 2025

HB 15 – Consumer Privacy

- Creates new sections of KRS Chapter 367 to establish consumer rights relating to personal information including the right to:
  - Confirm whether data is being processed;
  - Correct any inaccuracies in the consumer's personal data;
  - Delete personal data provided by the consumer;
  - Obtain a copy of the consumer's personal data that was previously provided;
  - Opt out of targeted advertising, the sale of data, or profiling of the consumer;
- Establishes requirements for persons or entities that control and process consumer data;
- Cite as the Kentucky Consumer Data Protection Act
- Effective January 1, 2026

HB 18 - Property

- Creates a new section of KRS Chapter 65 to prohibit a local government from adopting and enforcing ordinances that prohibit owners of housing accommodations from refusing to lease or rent the housing accommodation to a person whose source of income to pay rent includes funding from a federal housing assistance program;
- Prohibits local governments from requiring an owner of property occupied by an individual other than the owner to pay an emergency response fee that arises out of actions of a person for which the owner has no control;
- Creates a new section of KRS Chapter 383 to prohibit local governments from adopting or enforcing ordinances relating to landlord tenant laws that conflict with state law.

HB 30 - Veterans

- Creates a new section of KRS Chapter 40 establishing the Kentucky Service Members, Veterans, and their Families Suicide Prevention Program; and
- Creates a new section of KRS Chapter 337 requiring the Kentucky Department of Veterans Affairs to create and distribute a veterans' benefits and services document to employers and to allow employers to keep copies of the document in a conspicuous and accessible place.

HB 88 – Unlawful Trade Practices

- Amends KRS 324.160 to establish that regulating real estate service contracts by real estate licensees is improper conduct;
- Creates a new section of KRS Chapter 367 to prohibit the use of financial institution names in the marketing and solicitations of persons who are not financial institutions in specified circumstances;
- Creates a new section of KRS Chapter 367 to:
  - Regulate certain real estate agreements;
  - Make the recording of certain real estate service agreements a crime with penalties for violation;

HB 88 - Continued

- Establish that unfair, false, misleading, or deceptive trade practice is a violation of KRS 367.170;
- Provide to the Attorney General and any trade organization representing one of more financial institution industries enforcement powers;
- RETROACTIVE in part.

HB 115 – Medical Examinations

- Amends KRS 18A.225 and 164.2871 to require the state employee health plan and self-insured employer group health plans provided by a state postsecondary education institution to comply with breast examination coverage requirements;
- Amends KRS 304.17-316 to prohibit cost-sharing requirements for any covered diagnostic breast examination or supplemental breast examination and to provide for additional coverage if required under federal law;
- Effective January 1, 2025.

HB 137 – County Attorneys

- Amends KRS 69.300 to remove the residency requirement for assistant county attorneys.

HB 142 - Nicotine

- Requires local boards of education to adopt policies that penalize students for possessing alternative nicotine products, tobacco products, or vapor products;
- Requires schools to provide evidence-based age-appropriate nicotine prevention and cessation information to all students at the beginning of the school year and access to materials throughout the school year;
- Requires the posting of nicotine awareness information on the department's webpage by August 1, 2024.

HB 159 – Immunity For Health Care Providers

- Creates a new section of KRS Chapter 311 to establish that health care providers providing health services are immune from criminal liability for harm arising from a health services-related act or omission other than gross negligence or wanton, willful, malicious, or intentional misconduct.

HB 167 – Motor Vehicles

- Amends KRS 190.080 to require a previous consumer-owner to give consent to a dealer before disclosure of previous consumer-owner information to a potential purchaser;
- Amends KRS 281.926 to require towing companies to submit their rate schedules to the nearest Department of Kentucky State Police post and al local law enforcement agencies in addition to making them available to the public upon request;
- Directs KSP and local law enforcement to remove companies that do not comply;
- Amends KRS 376.325 to allow for disposal of towed vehicles if a lienholder does not respond to notifications.

HB 194 - Assault

- Amends KRS 508.025 to expand assault in the third degree to include causing or attempting to cause physical injury to a person employed or under contract with a health clinic, doctor's office, dental office, long-term care facility, hospital, or hospital-owned affiliate if the event occurs in or on the premises of a health clinic, doctor's office, dental office, long-term care facility, hospital, or hospital-owned affiliate.

HB 206 – Uniform Collaborative Law Act

- Creates a new section of KRS Chapter 403 to enact the Uniform Collaborative Law Act to regulate the use of collaborative law participation agreements as a voluntary form of alternative dispute resolution.

HB 207 – Sex Offenses

- Amends KRS 17.500 to include distribution of matter portraying a sexual performance of a minor in the definition of "sex crime";
- Amends KRS 531.010 to define "child sex doll" as an anatomically correct or anatomically precise doll, mannequin, or robot that may consist of an entire body, pelvis, or any other body part, with features of, or with features that resemble, those of a minor and intended for use in sexual acts;
- Defines "computer-generated image" as any visual depiction, including any photograph, film, video, or picture, where the depiction has been created, adapted, or modified on a computer to appear to be an identifiable person" and defines "identifiable person";

HB 207 - Continued

- Creates a new section of KRS 531.300 to 531.370 to provide that in a prosecution where the offense involves material portraying computer-generated image of a minor, the Commonwealth shall not be required to prove the actual identity or age of the computer-generated minor, or that the minor exists;
- Creates new sections of KRS 531.300 to 531.370 to prohibit the possession, trafficking, importing, and promoting the use of a child sex doll; and
- Amends various statutes in KRS Chapter 531 to include computer-generated images of a minor as an element of offenses.

HB 214 – Frank Huffman Act

- Establishes rights in addition to those provided under KRS Chapter 347 for individuals with intellectual or developmental disabilities including the right to:
  - Be treated at all times with courtesy and respect and with full recognition of their dignity and individuality;
  - Accessible, appropriate, safe, equal, and sanitary living, learning, and working environments that comply with local, state, and federal standards and recognize the individual's need for privacy and independence;
  - Practice the religion of their choice or to abstain from the practice of religion;
  - Ownership and use of personal possessions to maintain individuality and personal dignity;

HB 214 - Continued

- Pursue vocational opportunities that will promote and enhance economic independence;
- Be treated equally as citizens under the law;
- Be free from emotional, psychological, verbal, and physical abuse;
- Participate in decisions that affect their lives and promote-self-determination in relation to their cognitive abilities;
- Participate in their personal financial affairs to the extent not otherwise determined by order of a court of competent jurisdiction or otherwise by law;
- Confidential treatment of personal and medical records, except as otherwise permitted under KRS 210.235;
- Voice grievances and recommend changes in policies and services without coercion or discrimination;

HB 214 - Continued

- Freely participate in the political process to the extent provided by law;
- Communicate verbal or nonverbal refusal to participate in medical or psychological experiments;
- Participate in integrated programs of education, training, social development, habilitation, and recreation;
- Fair and equal wages in integrated work places; and
- Choose and maintain healthcare providers, personal care providers, services, and supports to the extent not otherwise required by order of a court of competent jurisdiction or otherwise by law;

- General purpose is to safeguard all individuals within the state from discrimination due to an intellectual or developmental disability.

HB 244 - Children

- Amends KRS 401.020 to require a court to conduct a hearing and consider the best interests of a child when one parent refuses or is unable to execute a petition for a name change for a minor child;
- Creates a new section of KRS Chapter 403 to establish provisions for shared parenting time and shared parenting time credit;
- Amends KRS 403.211 to establish which parent owes the initial $250 in medical expenses.

HB 258 – Torture of a Dog or Cat

- Amends KRS 525.135 to redefine "torture" as the intentional infliction of or subjection to extreme physical pain or serious injury or death to a dog or cat, motivated by intent or wanton disregard that causes, increases, or prolongs the pain or suffering of the dog or cat, including serious physical injury or infirmity;
- Increases the classification for torture of a dog or cat from a Class A misdemeanor to a Class D felony;
- Provides that each act of torture of a dog or cat may constitute a separate offense; and
- Provides what does not constitute torture, including veterinary care.

HB 264 – Judicial Branch Budget

- Funds were appropriated in 2021 to provide technology upgrades for virtual hearing equipment between county jails and courts;
- HB 264 provides that notwithstanding any statute to the contrary, courts shall use the video arraignment system set forth in 2021 Ky. Acts ch. 194, sec. 14, (1), (a), when available;
- HB 264 further provides that if a court does not use the video arraignment system referenced, when available, the Administrative Office of the Courts shall be responsible for the costs associated with transporting prisoners to and from arraignment;

HB 264 - Continued

- The Judicial Branch Budget also includes appropriations in fiscal years 2024-2025 and 2025-2026 for expansion of mental health court by ten sites, including Bourbon, Scott, and Woodford Counties; and
- Directs the Administrative Office of the Courts to study the potential ways an increase in juror pay can impact timely case disposition, including but not limited to juror attendance rates, and a comparison of Kentucky's juror pay to surrounding states.

HB 271 – Child Abuse

- Amends KRS 600.020 to define "safety plan" as a written agreement developed by the cabinet and agreed to by a family that clearly describes protective services that the cabinet will provide the family in order to manage threats to a child's safety;
- Amends KRS 600.020 to define "statewide reporting system" as a system for making and compiling reports of child dependence, neglect, and abuse in Kentucky made via telephone call or in writing by a member of the public;
- Amends KRS 620.023 to provide that the court shall have access to the entire protection and permanency record of the child that is prepared, owned, used, in the possession of, or retained by the cabinet, in determining the best interest of the child;

HB 271 - Continued

- Amends KRS 620.030 to provide for the electronic submission of reports;
- Requires the cabinet to establish and operate a statewide reporting system for the public to make reports of child dependency, neglect, and abuse via telephone, written report, or electronic submission;
- Requires the statewide reporting system to operate a 24 hour on-call response system that includes a child abuse hotline for the receipt of emergency and nonemergency reports of child dependency, neglect, and abuse during and after normal office hours;

HB 271 - Continued

- Amends various other sections of KRS Chapter 620 regarding duties of the cabinet, including specified requirements when the cabinet is making an initial determination as to the risk of harm and immediate safety of the child.

HB 278 – Protection of Children

- Amends KRS 160.380 to prohibit the employment in any position in a school district of any person who has been convicted of an offense that would classify the person as a violent offender, a sex crime, or a misdemeanor offense under KRS Chapter 510 (sexual offenses), or who is required to register as a sex offender;
- Amends KRS 413.249 to provide that a civil action arising from childhood sexual assault or abuse shall be brought within 10 years of the victim attaining the age of 18 years;

HB 278 - Continued

- Creates new sections of KRS Chapter 436 to establish a civil cause of action against any commercial entity that publishes matter harmful to minors on the internet without obtaining age verification, and to require removal of personal data following review for access;
- Amends KRS 510.050 and 510.080 to provide an enhanced penalty (Class B felony) when the defendant is a person in a position of authority or position of special trust;
- Provides an enhanced penalty for various acts involving minors;
- Amends KRS 529.100 to enhance the penalty for human trafficking to a Class B felony, unless the victim is a minor which is a Class A felony;

HB 278 - Continued

- Amends KRS 531.340 to enhance the penalty for distribution of matter portraying a sexual performance by a minor to a Class C felony if the victim is under 18 years and a Class B felony if the victim is under 12 years, and provides a convicted defendant shall not be released on probation or parole without serving 85 percent of the sentence imposed; and
- Amends various statutes to require a defendant to serve five years of postincarceration supervision.

HB 293 - Kratom

- Creates new sections of KRS Chapter 217 to define terms related to kratom and to prohibit the sale of kratom to individuals under 21 years of age;
- Establishes product safety standards and establishes labeling requirements for kratom products; and
- Establishes penalties.

HB 320 – Civil Procedure

- Amends KRS 337.385 to establish a three-year statute of limitation for wage and hour violations;
- Creates a new section of KRS Chapter 413 to establish a statute of limitations of three years for actions against an employer for wrongful discharge in violation of public policy and for a violation of KRS 344.030 to 344.110 or KRS 344.372; and
- Amends KRS 454.210 to expand personal jurisdiction of courts over nonresidents.

HB 335 – Assistance Dogs

- Amends various statutes in KRS Chapter 258 to:
  - Make it unlawful to misrepresent a dog as an assistance dog to obtain public accommodation and provide for a fine up to $1,000 for a violation;
  - Provide that emotional support animals are not required to be admitted where assistance dogs are not allowed and provide that the rights, privileges, and exemptions afforded to assistance dogs do not extend to emotional support animals; and
  - Establish a penalty for interference with the use of an assistance dog from $500 to $1,000, removing jail time.

HB 378 – State Symbols

- Amends KRS 2.091 to designate coal as the official rock of Kentucky;
- Amends KRS 2.092 to designate Kentucky agate as the official gemstone of Kentucky; and
- Amends KRS 2.094 to designate calcite as the official mineral of Kentucky.

HB 385 – Mental Capacity

- Amends KRS 311.631, relating to living wills and advance directives, to include an adult friend as an individual authorized to make health care decisions on behalf of a patient who lacks decisional capacity;
- Amends KRS 504.070 to allow a defendant to introduce evidence of an intellectual disability bearing on the issue of guilt, punishment, or both and requires a defendant who intends to introduce such evidence, or evidence of insanity at the time of the offense, to file written notice of his or her intention at least ninety days before trial (previously 20 days before trial);

HB 385 - Continued

- Amends KRS 311.631, relating to living wills and advance directives, to include an adult friend as an individual authorized to make health care decisions on behalf of a patient who lacks decisional capacity;
- Amends KRS 504.070 to allow a defendant to introduce evidence of an intellectual disability bearing on the issue of guilt, punishment, or both and requires a defendant who intends to introduce such evidence, or evidence of insanity at the time of the offense, to file written notice of his or her intention at least ninety days before trial (previously 20 days before trial);

HB 385 - Continued

- Further amends KRS 504.080 to provide that no later than 10 days after the examination, the examiner shall issue and deliver a report consistent with the terms of the referring court order;
- The court shall order the report filed under seal and shall schedule a status conference or hearing no more than 30 days after the filing of the report; and
- Amends KRS 504.100 to provide that if the court has reasonable grounds to believe at any state of the proceedings that the defendant is incompetent to stand trial, the court shall order an examination as provided in KRS 504.080.

HB 401 – Workers' Compensation

- Amends KRS 342.0011 to expand the definition of "physician" to include physicians with a license to practice in any jurisdiction of the United States;
- Amends KRS 342.033 to define "physician" to include retired physicians previously authorized to practice in the Commonwealth who surrendered a medical license while in good standing and who are not subject to an ongoing investigation for improper practices; and
- Amends KRS 342.140 to include unemployment benefits in the calculation of average weekly wage.

HB 436 – Guardians Ad Litem

- Amends KRS 26A.140 to state that guardians ad litem shall receive a fee fixed by the court and paid by the Finance and Administration Cabinet;
- Creates a new section of KRS 403.715 to 403.785 to require appointment of a guardian ad litem for any unrepresented minor who is an alleged victim of domestic violence and abuse, and who is named as a respondent or petitioner in a petition for an emergency protective order or domestic violence order and provide that a violation of an EPO or DVO may constitute a criminal offense if the offender is an adult, or a public offense if the offender is a juvenile;

HB 436 - Continued

- Creates a new section of KRS Chapter 456 to require appointment of a guardian ad litem for any unrepresented minor who is an alleged victim of dating violence and abuse, sexual assault, or stalking or who is a named respondent or petitioner in a petition for an interpersonal protective order.

HB 472 – Residential Planned Communities

- Creates a new section of KRS Chapter 381 to allow the appointment of a receiver for a planned community when it fails to maintain the infrastructure, common area, storm water detention or retention area, or other facility that it is legally obligated to maintain, and to allow a city to recover funds expended to repair, renovate, maintain, or otherwise bring violations up to code.

HB 476 – Termination of Parental Rights

- Creates a new section of KRS Chapter 625 to allow a parent to voluntarily terminate parental rights during the pendency of a proceeding under KRS Chapter 620, relating to dependency, neglect, and abuse actions, by signing and filing a consent form prescribed by the Administrative Office of the Courts; and
- Requires a finding by the court that termination would be in the best interest of the child.

HB 488 – Legal Instruments

- Amends KRS 382.297 to establish when a county clerk shall admit any amendment, renewal, modification, or extension of a recorded mortgage to record;
- Establishes when a county clerk shall admit affidavits of amendment prepared and executed by an attorney of record;
- Establishes recording requirements and construction; and
- Amends KRS 413.100 to establish when a promise, acknowledgment, or payment of money operates as an extension of a lien in a recorded mortgage or deed, and establishes recording requirements for an extended lien.

HB 551 – Cold Cases

- Creates a new section of KRS Chapter 65 to allow law enforcement agencies to contract with retired peace officers to assist with homicide cold cases.

HB 619 – Terms of Imprisonment

- Amends KRS 532.110 (concurrent and consecutive terms of imprisonment) to allow the aggregate of consecutive indeterminate terms to exceed the longest term authorized by KRS 532.080 (20 years) when a person convicted of a felony is convicted or enters a guilty plea to:
  - An additional felony committed while on parole, probation, shock probation, or conditional discharge; or
  - An offense committed while awaiting trial for another offense.

HB 829 – Medical Cannabis

- Amends various sections of KRS Chapter 218B relating to the regulation and use of medical cannabis.