

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

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔Section 1. Notwithstanding KRS 48.100 and 48.300, the Legislative Branch
 5 Budget is as follows:

6 **PART I**
 7 **OPERATING BUDGET**

8 **Funds Appropriations:** Funds are appropriated to the Legislative Research
 9 Commission for the Legislative Branch of government out of the General Fund and
 10 Restricted Funds accounts for the fiscal year beginning July 1, 2021, and ending June 30,
 11 2022, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, and for the
 12 fiscal year beginning July 1, 2023, and ending June 30, 2024, in the following discrete
 13 sums, or so much thereof as may be necessary. Each appropriation is made by the source
 14 of respective fund or funds accounts to be used for the purposes of the Legislative Branch
 15 of government of the Commonwealth of Kentucky.

16 **A. LEGISLATIVE BRANCH**

17 **Budget Units**

| | 2021-22 | 2022-23 | 2023-24 |
|-------------------------------|----------------|-------------------|-------------------|
| 18 | | | |
| 19 1. General Assembly | | | |
| 20 General Fund | 427,100 | 22,663,600 | 24,260,500 |
| 21 Restricted Funds | -0- | 75,000 | 175,000 |
| 22 TOTAL | 427,100 | 22,738,600 | 24,435,500 |

23 **(1) Legislators Compensation:** Notwithstanding KRS 6.190 and 6.213, the daily
 24 compensation provided by KRS 6.190 and the interim expense allowance provided by
 25 KRS 6.213 for the members of the General Assembly shall be as authorized by the 2020-
 26 2022 biennium and shall continue as adjusted on January 1, 2023, by the greater of the
 27 salary increment provided to state employees in the state/executive branch budget or the

1 percent increase in the nonseasonally adjusted annual average Consumer Price Index for
 2 All Urban Consumers (CPI-U), U.S. City Average, All Items, between the two (2) most
 3 recent calendar years available, as published by the United States Bureau of Labor
 4 Statistics.

5 **(2) Kentucky Legislative Ethics Commission:** Included in the above General
 6 Fund appropriation is \$567,700 in each fiscal year of the 2022-2024 fiscal biennium for
 7 the Kentucky Legislative Ethics Commission. Included in the above Restricted Funds
 8 appropriation is \$75,000 in fiscal year 2022-2023 and \$175,000 in fiscal year 2023-2024
 9 for the Kentucky Legislative Ethics Commission.

10 **(3) Kentucky Long-Term Policy Research Center:** Notwithstanding KRS
 11 7B.010 to 7B.090, operation of the Kentucky Long-Term Policy Research Center and its
 12 governing board shall continue to be suspended effective July 1, 2022, and shall remain
 13 suspended for the 2022-2024 fiscal biennium or until funding is restored. No funds are
 14 appropriated for the Kentucky Long-Term Policy Research Center for fiscal year 2022-
 15 2023 and fiscal year 2023-2024.

16 **(4) Pension Benefit Increase:** Notwithstanding KRS 6.521(3), no pension
 17 benefit increase shall be granted to recipients of a retirement allowance under KRS 6.500
 18 to 6.577 on July 1, 2022.

| | 2021-22 | 2022-23 | 2023-24 |
|----|---|----------------|----------------|
| 19 | | | |
| 20 | 2. Legislative Research Commission | | |
| 21 | General Fund | 1,794,800 | 62,377,000 |
| | | 63,756,300 | |

22 **(1) Legislative Record:** Notwithstanding KRS 7.105, distribution of the final
 23 issue of the Legislative Record and the interim Legislative Record shall be suspended
 24 effective July 1, 2022.

| | TOTAL - OPERATING BUDGET | | |
|----|---------------------------------|----------------|----------------|
| | 2021-22 | 2022-23 | 2023-24 |
| 25 | | | |
| 26 | General Fund | 2,221,900 | 85,040,600 |
| 27 | | 88,016,800 | |

1 government shall have the power to restrict or limit the actions of, or the expenditure of
2 funds appropriated to, the Legislative Research Commission for the Legislative Branch of
3 government.

4 **2. Capitol and Capitol Annex Capital Construction Expenditures:** Any
5 expenditure authorized by the Director of the Legislative Research Commission, under
6 the supervision of the Legislative Research Commission, relating to implementation of
7 KRS 56.463(4)(b), or relating to the Capitol Building, and funded by previous or current
8 appropriations to the Legislative Research Commission for the Legislative Branch of
9 government shall not be governed by KRS 7A.010, 7A.120, 45.750 to 45.810,
10 48.010(16), 48.020, and 48.110.

11 **3. Severability of Budget Provisions:** Appropriation items and sums in this Act
12 conform to KRS 48.311. If any section, any subsection, or any provision thereof shall be
13 invalid or unconstitutional, the decision of the courts shall not affect or impair any of the
14 remaining sections, subsections, or provisions.

15 **4. Duplicate Appropriation:** Any appropriation item and sum in this Act and in
16 an appropriation provision in another Act of the 2022 Regular Session of the General
17 Assembly which constitutes a duplicate appropriation shall be governed by KRS 48.312.

18 **5. Priority of Individual Appropriations:** KRS 48.313 shall control when a
19 total or subtotal figure in this Act conflicts with the sum of the appropriations of which it
20 consists.

21 **6. Appropriations Revisions:** Notwithstanding KRS 48.630(10), no revisions
22 for unbudgeted Restricted Funds appropriations for expenditure shall be allotted or
23 expended that have not been appropriated in any enacted branch budget bill or without
24 the express authority of the General Assembly.

25 **7. Allowance in Lieu of Stationery:** Notwithstanding KRS 6.220, in lieu of
26 stationery, there shall be allowed to each member of the House of Representatives the
27 sum of \$350 and to each member of the Senate the sum of \$650. This allowance shall be

1 paid out of the State Treasury at the beginning of each legislative session.

2 **8. Salary Adjustments:** In each fiscal year, employees of the Legislative
3 Research Commission shall receive a salary adjustment in accordance with the salary
4 adjustment provided to state employees in the state/executive branch budget.

5 **9. Administrative Expenses:** Pursuant to KRS 21.540, administrative expenses
6 shall be paid out of an administrative account which shall be funded by transfers of the
7 necessary moneys, in appropriate ratio, from the funds provided for in KRS 21.550 and
8 21.560.

9 **10. Employee Layoffs, Furloughs, and Reduced Hours:** Notwithstanding any
10 statute to the contrary, the following process and procedure is established for July 1,
11 2022, through June 30, 2024, in the event that the Legislative Research Commission
12 (LRC) determines that it is desirable for the Director of the LRC to layoff, furlough, or
13 reduce hours of employees:

14 (1) For the purposes of this section:

15 (a) "Appointing authority" means the Director of the LRC, in his or her capacity
16 as provided in KRS 7.090, or any agent whom he or she has delegated to act on his or her
17 behalf with respect to employee appointments, position establishments, payroll
18 documents, reemployment requests, waiver requests, requests for certification, or other
19 position actions for the LRC;

20 (b) "Furlough" or "reduction in hours" means the temporary reduction of hours an
21 employee is scheduled to work by the appointing authority within a pay period;

22 (c) "Layoff" means discharge of employment subject to the rights contained in
23 this section; and

24 (d) "Employees" includes all persons employed by the LRC;

25 (2) Upon an order by the LRC, the appointing authority has the authority to layoff
26 or furlough employees or reduce hours of employment for any of the following reasons:

27 (a) Lack of funds or budgetary constraints;

1 (b) A reduction in the agency's spending authorization;

2 (c) Lack of work;

3 (d) Abolishment of a position; or

4 (e) Other material change in duties or organization;

5 (3) The appointing authority shall determine the job classifications affected and
6 the number of employees laid-off in each classification to which a layoff applies. In the
7 same department or office and job classification, interim and probationary employees
8 shall be laid-off before any full-time or part-time employees are laid-off. For purposes of
9 layoff, "probationary employee" does not include an employee serving a promotional
10 probation;

11 (4) The Director of the LRC shall approve and implement all actions taken under
12 subsection (2) of this section and no such layoff, furlough, or reduction of hours may
13 begin until such approval has been granted. The Director of the LRC has the authority to
14 determine the extent, effective dates, and length of any action taken under subsection (2)
15 of this section;

16 (5) In determining the employees to be laid-off, the appointing authority shall
17 consider all employees under the same appointing authority and within the job
18 classification affected. Consideration shall be given to the following relevant factors:

19 (a) Job performance evaluations;

20 (b) Seniority;

21 (c) Education, training, and experience; and

22 (d) Disciplinary record;

23 (6) Any employee whose position is subject to layoff, furlough, or reduction of
24 hours shall be provided written notice containing the reason for the action as set forth in
25 subsection (2) of this section at least 15 days in advance of the effective date of the
26 action;

27 (7) Any employee who is laid-off shall be eligible to apply as a reemployment

1 applicant for positions with the same job classification in the LRC. For a period of two
 2 years, a reemployment applicant shall be hired before any applicant except another
 3 reemployment applicant with greater seniority who is on the same reemployment list.
 4 When a reemployment applicant is removed from a reemployment list, he or she shall be
 5 notified in writing. A reemployment applicant who accepts another LRC position, or who
 6 retires, shall cease to have eligibility rights as a reemployment applicant;

7 (8) The appointing authority may place employees subject to a reduction in force;

8 (9) Furloughs or reduction of hours during a pay period shall not result in the loss
 9 of eligibility for any benefit otherwise due the employee;

10 (10) The appointing authority shall have the authority to promulgate
 11 comprehensive administrative regulations governing this section; and

12 (11) A layoff, furlough, or reduction of hours implemented in accordance with this
 13 section shall not be considered a penalization of the employee.

14 **11. Deferred Payroll:** Included in the fiscal year 2021-2022 appropriations in
 15 Part I of this Act are sufficient funds to issue the state payroll that had previously been
 16 deferred.

17 **PART IV**

18 **BUDGET REDUCTION OR SURPLUS EXPENDITURE PLAN**

19 The Legislative Branch shall participate in any Budget Reduction Plan or Surplus
 20 Expenditure Plan in accordance with KRS Chapter 48, except that obligations essential to
 21 the constitutional duties of the Legislative Branch shall be exempt from any Budget
 22 Reduction Plan. The level of participation in a Budget Reduction Plan shall be at the
 23 discretion of the Director and shall not exceed the actual percentage of revenue shortfall.