

1 AN ACT relating to government agencies, making an appropriation therefor, and
2 declaring an emergency.

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

4 ➔Section 1. 2022 Kentucky Acts Chapter 183, Section 6, at page 1099, is
5 amended to read as follows:

6 There is hereby appropriated to the Council on Postsecondary Education General
7 Fund moneys in the amount of \$1,500,000 in fiscal year 2022-2023 for the costs incurred
8 by the council in carrying out its duties described in Sections 1 to 3 of this Act.
9 **Notwithstanding KRS 45.229, any portion of these funds that have not been expended**
10 **by the end of fiscal year 2022-2023 shall not lapse and shall carry forward into fiscal**
11 **year 2023-2024.**

12 ➔Section 2. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, A.
13 General Government, 9. Department for Local Government, (11) Community
14 Development Projects, at pages 1639 to 1640, as amended by 2022 Kentucky Acts
15 Chapter 239, is further amended to read as follows:

16 **(11) Community Development Projects:** Included in the above General Fund
17 appropriation are the following one-time allocations for the 2022-2024 fiscal biennium:

18 (a) \$3,500,000 in each fiscal year to the Boone's Ridge Appalachian Wildlife
19 Foundation for Boone's Ridge in Bell County;

20 (b) \$15,000,000 in each fiscal year to the Todd County Fiscal Court for the
21 natural gas pipeline project;

22 (c) \$200,000 in fiscal year 2022-2023 to the United Methodist Mountain Mission
23 to support operations;

24 (d) \$400,000 in each fiscal year to the Kentucky Pilots Association Education
25 Foundation;

26 (e) \$2,000,000 in fiscal year 2022-2023 to the Paducah Symphony;

27 (f) \$4,300,000 in fiscal year 2022-2023 to the Louisville Orchestra;

- 1 (g) \$100,000 in fiscal year 2022-2023 to the Hickman County Fiscal Court for the
2 Civil War Days;
- 3 (h) \$2,500,000 in fiscal year 2022-2023 to the Paintsville High School STEM
4 Program;
- 5 (i) \$10,000,000 in each fiscal year to the Lincoln County Fiscal Court for the
6 natural gas pipeline project;
- 7 (j) \$200,000 in each fiscal year to the Backroads of Appalachia in Harlan,
8 Kentucky, to support economic development;
- 9 (k) \$1,500,000 in each fiscal year to the Russell County Regional Agribusiness
10 Training Facility;
- 11 (l) \$750,000 in fiscal year 2022-2023 to the Garrard County Fiscal Court for the
12 Garrard County Emergency Medical Services and Crescent Spring Fire Department;
- 13 (m) \$500,000 in fiscal year 2023-2024 to the Fern Creek Community Center in
14 Louisville, Kentucky;
- 15 (n) \$750,000 in fiscal year 2023-2024 to the Hart County Chamber of Commerce;
- 16 (o) \$300,000 in fiscal year 2023-2024 to the City of Greensburg for beautification
17 projects;
- 18 (p) \$20,000 in fiscal year 2022-2023 to the City of Wilmore for the Downtown
19 Greenstage;
- 20 (q) \$6,000 in fiscal year 2022-2023 to the Jessamine County Fiscal Court for the
21 High Bridge Firehouse;
- 22 (r) \$50,000 in fiscal year 2022-2023 to the Jessamine County Fiscal Court for
23 land acquisition at the High Bridge boat ramp;
- 24 (s) \$1,400,000 in fiscal year 2022-2023 to the city of Williamsburg for
25 renovation and expansion of the Kentucky Splash Waterpark and Campground;
- 26 (t) \$10,000,000 in fiscal year 2022-2023 to the Louisville Zoo for construction of
27 Kentucky trails habitat. **Notwithstanding KRS 45.229, any portion of these funds that**

1 **have not been expended by the end of fiscal year 2022-2023 shall not lapse and shall**
2 **carry forward into fiscal year 2023-2024;**

3 (u) \$2,500,000 in fiscal year 2022-2023 to the City of Corbin for the Corbin
4 Arena and Corbin Center;

5 (v) \$1,000,000 in fiscal year 2022-2023 to the City of Barbourville for
6 renovations to the Barbourville City Hall;

7 (w) \$1,250,000 in fiscal year 2022-2023 to the Jackson County Fiscal Court for a
8 new building for the Jackson County Emergency Medical Services;

9 (x) \$400,000 in fiscal year 2022-2023 to the KCEOC Community Action
10 Partnership for a vocational and technical training facility;

11 (y) \$750,000 in fiscal year 2022-2023 to the City of Booneville for a city
12 revitalization project;

13 (z) \$4,250,000 in fiscal year 2022-2023 to the Manchester/Clay County Tourism
14 Commission, Elk Hill Regional Industrial Authority, and Volunteers of America for land
15 acquisition, renovations, upgrades, and Elk Hill Spec Building and Housing;

16 (aa) \$500,000 in fiscal year 2022-2023 to the Scott United Ministries A.M.E.N.
17 House for acquisition or construction of a new building;

18 (ab) \$250,000 in fiscal year 2022-2023 to the Monroe County Fiscal Court to
19 allow the Monroe County Medical Center to begin offering emergency medical services
20 and paramedic training;

21 (ac) \$600,000 in fiscal year 2022-2023 to the Housing Authority of Bowling
22 Green to create a small business incubator for low income, minority, and women-owned
23 businesses in collaboration with the city of Bowling Green;

24 (ad) \$1,000,000 in fiscal year 2022-2023 to the City of Somerset Parks and
25 Recreation for upgrades to youth sports facilities;

26 (ae) \$3,000,000 in fiscal year 2022-2023 to the Christian County Board of
27 Education for the Fort Campbell Industrial Training Partnership;

- 1 (af) \$3,000,000 in fiscal year 2022-2023 to the Barren County Family YMCA
- 2 Foundation for a swimming pool facility, equipment, and HVAC and building repair;
- 3 (ag) \$1,000,000 in fiscal year 2022-2023 to the Green County Fiscal Court for
- 4 industrial park site development;
- 5 (ah) \$1,000,000 in fiscal year 2022-2023 to the Kentucky Science and Technology
- 6 Corporation for the VALOR program;
- 7 (ai) \$1,000,000 in fiscal year 2022-2023 to USA Cares to support veterans and
- 8 their families;
- 9 (aj) \$650,000 in fiscal year 2022-2023 to Bellewood and Brooklawn to support
- 10 the Avenues to Success pilot program;
- 11 (ak) \$5,000,000 in fiscal year 2022-2023 to the Bell County Fiscal Court to
- 12 support industrial projects;
- 13 (al) \$1,000,000 in fiscal year 2023-2024 to the Green County Fiscal Court for the
- 14 American Legion Park Trail Development Project; and
- 15 (am) \$195,000 in fiscal year 2022-2023 to Old Bardstown Village, Inc. for flood
- 16 damage repairs.

17 ➔Section 3. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, A.
 18 General Government, 28. Teachers' Retirement System, at pages 1652 to 1653, is
 19 amended to read as follows:

20 **28. TEACHERS' RETIREMENT SYSTEM**

	2021-22	2022-23	2023-24
21 General Fund	479,242,300	761,425,500 <u>722,100,400</u>	767,731,100 <u>728,406,000</u>
22 Restricted Funds	503,100	18,553,300	19,330,200
23 TOTAL	479,745,400	779,978,800 <u>740,653,700</u>	787,061,300 <u>747,736,200</u>

24 (1) **Debt Service:** Included in the above General Fund appropriation is
 25 \$17,365,500 in fiscal year 2022-2023 for debt service on previously issued bonds.

26 (2) **Dependent Subsidy for All Retirees under age 65:** Pursuant to KRS
 27

1 161.675(4), health insurance supplement payments made by the retirement system shall
2 not exceed the amount of the single coverage insurance premium.

3 **(3) Retiree Health Insurance:** Pursuant to KRS 161.550(2)(b) and
4 notwithstanding any statute to the contrary, included in the above General Fund
5 appropriation is \$71,200,000 in fiscal year 2022-2023 and \$77,700,000 in fiscal year
6 2023-2024 to support the state's contribution for the cost of retiree health insurance for
7 members not eligible for Medicare who have retired on or after July 1, 2010.
8 Notwithstanding KRS 161.675, the Teachers' Retirement System Board of Trustees shall
9 provide health insurance supplement payments towards the cost of the single coverage
10 insurance premium based on age and years of service credit of eligible recipients of a
11 retirement allowance, the cost of which shall be paid from the Medical Insurance Fund.
12 Notwithstanding KRS 161.675, the Teachers' Retirement System Board of Trustees shall
13 authorize eligible recipients of a retirement allowance from the Teachers' Retirement
14 System who are less than age 65 to be included in the state-sponsored health insurance
15 plan that is provided to active teachers and state employees under KRS 18A.225.
16 Notwithstanding KRS 161.675(4)(a), the contribution paid by retirees who are less than
17 age 65 who qualify for the maximum health insurance supplement payment for single
18 coverage shall be no more than the sum of (a) the employee contribution paid by active
19 teachers and state employees for a similar plan, and (b) the standard Medicare Part B
20 premium as determined by the Centers for Medicare and Medicaid Services.
21 Notwithstanding KRS 161.675(4)(a), the contribution paid by retirees who are less than
22 age 65 who do not qualify for the maximum health insurance supplement payment for
23 single coverage shall be determined by the same graduated formula used by the Teachers'
24 Retirement System for Plan Year 2022.

25 **(4) Medical Insurance Fund Employee Contributions:** Notwithstanding KRS
26 161.540(1), the employee contribution to the Medical Insurance Fund shall not be
27 changed in fiscal year 2022-2023 or fiscal year 2023-2024.

1 **(5) Amortized Benefits Payoff:** Included in the above General Fund
 2 appropriation is \$479,242,300 in fiscal year 2021-2022 to pay off the principal balance
 3 for past benefit enhancements. Notwithstanding KRS 45.229, any funds in excess of the
 4 principal balance shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).

5 **(6) Sick Leave Liability Reporting ~~Payment~~:** ~~Included in the above General~~
 6 ~~Fund appropriation is \$39,325,100 in each fiscal year to support the actuarial cost of sick~~
 7 ~~leave benefits for new retirees.]~~ The Teachers' Retirement System shall provide a report
 8 on the cost of sick leave to the Public Pension Oversight Board no later than December 1,
 9 2023.

10 **(7) Actuarially Determined Employer Contribution:** Included in the above
 11 General Fund appropriation is \$629,415,000 in fiscal year 2022-2023 and \$646,456,000
 12 in fiscal year 2023-2024 to provide the full actuarially determined employer contribution.
 13 The Teachers' Retirement System shall provide a report on the actuarially determined
 14 employer contribution to the Public Pension Oversight Board no later than December 1,
 15 2023.

16 **(8) Salary Increment:** Notwithstanding Part III, 2. of this Act, unexpended
 17 Restricted Funds to administer the salary increment pursuant to Part IV, 2. of this Act
 18 shall become available for expenditure in the 2022-2024 fiscal biennium. The Teachers'
 19 Retirement System shall submit a report on the cost to implement the salary increment to
 20 the Interim Joint Committee on Appropriations and Revenue no later than August 1,
 21 2022.

22 ➔Section 4. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, C.
 23 Department of Education, 1. Support Education Excellence in Kentucky (SEEK)
 24 Program, (3) SEEK Lapse, at page 1656, is amended to read as follows:

25 **(3) SEEK Lapse:** Any unexpended SEEK funds in ~~each~~ fiscal year 2022-2023
 26 shall lapse to the General Fund. *It is the intent of the 2023 General Assembly to provide*
 27 *SEEK funds in fiscal year 2024-2025 from unexpended SEEK funds in fiscal year*

1 2023-2024 to support school districts that experienced growth pursuant to KRS
 2 157.360(9) in the 2022-2023 school year, and it is the intent that after funds are
 3 appropriated to growth districts that, notwithstanding KRS 45.229, any unexpended
 4 SEEK funds in fiscal year 2023-2024 shall lapse to the Budget Reserve Trust Fund
 5 (KRS 48.705).

6 ➔Section 5. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, K.
 7 Public Protection Cabinet, 1. Secretary, (1) Nonprofit Assistance, at pages 1699 to 1700,
 8 as amended by 2022 Kentucky Acts Chapter 239, is further amended to read as follows:

9 (1) **Nonprofit Assistance:** (a) Included in the above Federal Funds appropriation
 10 is \$75,000,000 in fiscal year 2022-2023 from the State Fiscal Recovery Fund of the
 11 American Rescue Plan Act of 2021 to provide direct relief payments to eligible nonprofit
 12 organizations. Of this amount, \$2,570,400 in fiscal year 2022-2023 is appropriated as a
 13 one-time allocation to the Kentucky Nonprofit Network to support outreach, resources,
 14 and programming for Kentucky nonprofits to strengthen Kentucky communities.
 15 Beginning July 1, 2023, through September 1, 2027, the Kentucky Nonprofit Network
 16 shall provide an annual report to the Interim Joint Committee on Appropriations and
 17 Revenue by September 1 detailing the impact of these funds on the ability of nonprofits
 18 to mitigate the negative impact of COVID-19 and provide effective services.

19 Notwithstanding KRS 45.229, any unexpended Federal Funds from the American Rescue
 20 Plan Act of 2021 Federal Funds appropriations shall not lapse and shall carry forward.
 21 Eligible nonprofit organizations will be entitled to apply for a one-time assistance grant
 22 of a maximum amount of \$100,000 per organization, not to exceed the net negative
 23 revenue difference between the organization's calendar year 2020 and calendar year 2021
 24 financial statements.

25 1. One-time assistance grants will be reviewed in the order in which they are
 26 received and eligible grants will be provided until the appropriate amount is exhausted.

27 2. The process for determining an applicant's eligibility and awarding the grants

1 will be determined by the Secretary of the Public Protection Cabinet.

2 (b) Eligible nonprofit organization means organizations meeting all of the
3 following criteria:

4 1. A nonprofit that has been granted exemption from the federal income tax by
5 the United States commissioner of internal revenue as organizations described in Section
6 501(c)(3), (6), or (8) or as veterans' organizations described in Section 501(c) of the
7 United States Internal Revenue Code of 1986 and subject to the provisions of the
8 Nonprofit Corporation Act;

9 2. A nonprofit based in Kentucky providing services to Kentuckians;

10 3. Excluding nonprofit arts organizations, a nonprofit providing services to the
11 following populations most affected by COVID-19:

12 a. People living at or below the federal poverty level;

13 b. People experiencing homelessness;

14 c. Communities of Color;

15 d. Minimum or low-wage employees displaced by business closures;

16 e. Older adults living at or below the federal poverty level;

17 f. People who are immunocompromised or medically fragile;

18 g. Immigrant and refugee communities;

19 h. People with limited English proficiency;

20 i. People with disabilities;

21 j. People without health insurance;

22 k. Victims of domestic violence or child abuse;

23 l. Children in need of services; and

24 m. Workers without access to paid sick leave; and

25 (c) A nonprofit that has not already received direct financial assistance, excluding
26 loans, through the federal CARES Act (Pub. L. No. 116-136), the Consolidated
27 Appropriations Act, 2021 (H.R. 133), or any subsequent federal relief package enacted

1 prior to the nonprofit’s grant application being considered shall be given preference.

2 ➔Section 6. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, L.
 3 Tourism, Arts and Heritage Cabinet, 10. Heritage Council, (2) American Battlefield
 4 Trust, at page 1706, is amended to read as follows:

5 (2) **American Battlefield Trust:** Included in the above General Fund
 6 appropriation is \$3,300,000 in fiscal year 2022-2023 to provide matching funds for the
 7 American Battlefield Trust. Notwithstanding KRS 45.229, any portion of these funds
 8 that have not been expended by the end of fiscal year 2022-2023 shall not lapse and
 9 shall carry forward into fiscal year 2023-2024.

10 ➔Section 7. 2022 Kentucky Acts Chapter 199, Part II, Capital Projects Budget, I.
 11 Postsecondary Education, 11. Western Kentucky University, 002. Construct New Gordon
 12 Ford College of Business, at page 1744, is amended to read as follows:

13 **002. Construct New Gordon Ford College of Business**

14	Bond Funds	-0-	-0-	74,400,000
15	<u>Agency Bonds</u>	<u>-0-</u>	<u>-0-</u>	<u>25,000,000</u>
16	<u>TOTAL</u>	<u>-0-</u>	<u>-0-</u>	<u>99,400,000</u>

17 ➔Section 8. 2022 Kentucky Acts Chapter 214, Part I, Operating Budget, A.
 18 Transportation Cabinet, 1. General Administration and Support, at pages 2016 to 2017, is
 19 amended to read as follows:

20 **1. GENERAL ADMINISTRATION AND SUPPORT**

21		2021-22	2022-23	2023-24
22	General Fund	-0- 500,000 [17,864,000]		500,000
23	Restricted Funds	31,400	2,743,400	2,752,300
24	Federal Funds	-0-	69,456,000	-0-
25	Road Fund	1,088,200	81,374,000	81,626,400
26	TOTAL	1,119,600 154,073,400 [171,437,400]		84,878,700

27 (1) **Biennial Highway Construction Plan:** The Secretary of the Transportation

1 Cabinet shall produce a single document that shall detail the enacted fiscal biennium
 2 2022-2024 Biennial Highway Construction Program and the 2024-2028 Highway
 3 Preconstruction Program.

4 (2) **Debt Service:** Included in the above Road Fund appropriation is \$343,800 in
 5 fiscal year 2022-2023 and \$345,000 in fiscal year 2023-2024 for debt service on
 6 previously authorized bonds.

7 (3) **Adopt-A-Highway Litter Program:** The Transportation Cabinet and the
 8 Energy and Environment Cabinet may receive, accept, and solicit grants, contributions of
 9 money, property, labor, or other things of value from any governmental agency,
 10 individual, nonprofit organization, or private business to be used for the Adopt-a-
 11 Highway Litter Program or other statewide litter programs. Any contribution of this
 12 nature shall be deemed to be a contribution to a state agency for a public purpose and
 13 shall be treated as Restricted Funds under KRS Chapter 45 and reported according to
 14 KRS Chapter 48, and shall not be subject to restrictions set forth under KRS Chapter
 15 11A.

16 (4) **Riverport Improvements:** Included in the above General Fund appropriation
 17 is \$500,000 in each fiscal year to improve public riverports within Kentucky. The
 18 Secretary of the Transportation Cabinet, in conjunction with the Kentucky Water
 19 Transportation Advisory Board, shall determine how the funds are distributed.

20 (5) **Electric Vehicle Charging Program:** Included in the above Federal Funds
 21 appropriation is ~~appropriations are \$17,364,000 in General Fund and~~ \$69,456,000 ~~in~~
 22 ~~Federal Funds~~ in fiscal year 2022-2023 for the Electric Vehicle Charging Program in the
 23 Infrastructure Investment and Jobs Act. ~~Notwithstanding KRS 45.229, these funds shall~~
 24 ~~not lapse and shall carry forward.~~ The Transportation Cabinet shall submit an Electric
 25 Vehicle Infrastructure Development Plan to the Interim Joint Committee on
 26 Transportation on or before June 30, 2022.

27 ➔Section 9. 2022 Kentucky Acts Chapter 239, Section 13, at page 2408, is

1 amended to read as follows:

2 There is hereby appropriated Federal Funds from the State Fiscal Recovery Fund
 3 from the American Rescue Plan Act of 2021 in the amount of \$1,500,000 in fiscal
 4 year^[years] 2022-2023~~[and 2023-2024]~~ to the Learning and Results Services budget unit
 5 to enrich science curriculums. **There is hereby appropriated Federal Funds from the**
 6 **State Fiscal Recovery Fund from the American Rescue Plan Act of 2021 in the amount**
 7 **of \$1,500,000 in fiscal year 2023-2024 to the Learning and Results Services budget**
 8 **unit for a chemistry and physical science 3D game-based learning platform for middle**
 9 **school and high school students that aligns to Kentucky's science academic standards,**
 10 **connects the standards to real world technologies and applications, and highlights**
 11 **STEM and CTE career pathways in Kentucky to increase students' interest in pursuing**
 12 **a chemistry-related career.**

13 ➔Section 10. There is hereby appropriated Restricted Funds in the amount of
 14 \$325,000 in fiscal year 2023-2024 to the Hairdressers and Cosmetologists budget unit as
 15 a one-time allocation for an information technology project.

16 ➔Section 11. There is hereby appropriated \$63,663,100 in Restricted Funds and
 17 \$254,652,500 in Federal Funds in fiscal year 2022-2023 and \$322,499,200 in Restricted
 18 Funds and \$1,143,406,400 in Federal Funds in fiscal year 2023-2024 to the Medicaid
 19 Benefits budget unit to provide Medicaid reimbursement of outpatient hospital services
 20 under the Hospital Rate Improvement Program.

21 ➔Section 12. Notwithstanding KRS 39A.303(1), there is hereby transferred
 22 Restricted Funds from the East Kentucky State Aid Funding for Emergencies (EKSAFE)
 23 Fund in the amount of \$10,000,000 in fiscal year 2023-2024 to the Rural Housing Trust
 24 Fund. Notwithstanding KRS 39A.305(1), there is hereby transferred Restricted Funds
 25 from the West Kentucky State Aid Funding for Emergencies (WKSAFE) Fund in the
 26 amount of \$10,000,000 in fiscal year 2023-2024 to the Rural Housing Trust Fund.

27 ➔Section 13. Whereas the provisions of this Act provide ongoing support for

- 1 state government agencies and their functions, an emergency is declared to exist, and this
- 2 Act takes effect upon its passage and approval by the Governor or upon its otherwise
- 3 becoming a law.