

CHAPTER 56**(HB 367)**

AN ACT relating to the Disaster Relief Funding Program and making an appropriation therefor.

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

SECTION 1. A NEW SECTION OF KRS CHAPTER 39A IS CREATED TO READ AS FOLLOWS:

- (1) *The Disaster Relief Funding Program is established and shall be administered by the Division of Emergency Management in accordance with the provisions of this section.*
- (2) *A Disaster Relief Funding Program trust fund is established as a separate revolving fund. The trust fund shall be administered by the Division of Emergency Management and the proceeds shall be used to support the Disaster Relief Funding Program.*
- (3)
 - (a)
 1. *The Disaster Relief Funding Program trust fund may receive state appropriations, gifts, grants, federal funds, and any other funds both public and private.*
 2. *The Disaster Relief Funding Program trust fund shall not publicly advertise for or solicit contributions from the general public that could potentially impact fundraising efforts of not-for-profit disaster relief agencies.*
 - (b) *Trust fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward to the next fiscal year.*
 - (c) *Any interest earnings of the trust fund shall become a part of the trust fund and shall not lapse.*
 - (d) *Any funds deposited in the trust fund are hereby appropriated for the purposes set forth in this section.*
- (4) *Eligibility for funds under the Disaster Relief Funding Program shall be limited to cities, counties, urban-counties, charter counties, and consolidated local governments of the Commonwealth and individuals who have disaster-related needs that cannot or will not be met by other relief agencies and who are residents of, and living in, the Commonwealth on the date of the emergency.*
- (5)
 - (a) *Eligible applicants located in an area where there has been a declared emergency by the Governor, as defined in KRS 39A.020, may receive financial assistance when federal authorities decline to issue a federal declaration of disaster and federal assistance will not be forthcoming.*
 - (b) *Cities, counties, urban-counties, charter counties, and consolidated local governments of the Commonwealth that are eligible applicants may receive financial assistance to pay the state contribution required by the federal government in cases where there has been a federal declaration of disaster.*
- (6) *The Division of Emergency Management shall promulgate administrative regulations necessary to carry out the provisions of this section.*

Approved March 11, 2005.