

CHAPTER 37

(SB 74)

AN ACT relating to local government.

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

SECTION 1. A NEW SECTION OF KRS CHAPTER 147A IS CREATED TO READ AS FOLLOWS:

- (1) *The General Assembly finds that the work of ConnectKentucky in the deployment and adoption of broadband services and information technology across the state has resulted in enhanced economic development and public safety for Kentucky communities, improved health care and educational opportunities, and a better quality of life for Kentucky citizens. Further, continued progress in the deployment and adoption of broadband services is vital to ensuring that Kentucky remains competitive and continues to create business and job growth. The General Assembly finds that Kentucky must encourage and support the partnership of the public and private sectors in the continued growth of telecommunications and information technology for Kentucky citizens and businesses.*
- (2) *The Department for Local Government shall:*
 - (a) *Track the deployment and adoption of broadband and information technology in Kentucky;*
 - (b) *Enable public-private partnerships among broadband providers and relevant government entities to encourage the deployment and adoption of advanced broadband services;*
 - (c) *Serve as a resource for all citizens, broadband providers, and technology businesses regarding broadband and information technology issues;*
 - (d) *Report progress on deployment and adoption to the Legislative Research Commission upon request and at least annually; and*
 - (e) *Ensure notification to the public of the availability of public funds for broadband and information technology investments prior to awarding any contracts or grants.*
- (3) *The Department for Local Government may contract with a nonprofit organization to accomplish the objectives set forth in this section. The organization shall have an established competency in working with public and private sectors to accomplish wide-scale deployment and adoption of broadband and information technology.*
- (4) *Nothing herein shall be construed as giving the Department for Local Government any authority, regulatory or otherwise, over providers of telecommunications and information technology.*

Section 2. KRS 147A.021 is amended to read as follows:

- (1) The Department for Local Government shall have the following powers and duties:
 - (a) To require any reports from local governments that will enable it adequately to provide the technical and advisory assistance authorized by this section.
 - (b) To encourage, conduct, or participate in training courses in procedures and practices for the benefit of local officials, and in connection therewith, to cooperate with associations of public officials, business and professional organizations, university faculties, or other specialists.
 - (c) To request assistance and information, which shall be provided by all departments, divisions, boards, bureaus, commissions, and other agencies of state government to enable the department to carry out its duties under this section.
 - (d) At its discretion, to compile and publish annually a report on local government.
- (2) The Department for Local Government shall coordinate for the Governor the state's responsibility for, and shall be responsible for liaison with the appropriate state and federal agencies with respect to, the following programs:
 - (a) Demonstration cities and metropolitan development act as amended with the exception of Title I of the Housing and Community Development Act of 1974 as amended through 1981;
 - (b) Farmers Home Administration;

- (c) Veterans Administration Act as amended, as it pertains to housing.
- (3) The Department for Local Government shall provide technical assistance and information to units of local government, including but not limited to:
- (a) Personnel administration;
 - (b) Ordinances and codes;
 - (c) Community development;
 - (d) Appalachian Regional Development Program;
 - (e) Economic Development Administration Program;
 - (f) Intergovernmental Personnel Act Program;
 - (g) Land and Water Conservation Fund Program;
 - (h) Area Development Fund Program;
 - (i) Gas System Restoration Project;
 - (j) Joint Funding Administration Program;
 - (k) State clearinghouse for A-95 review;
 - (l) The memorandums of agreement with the area development districts to provide management assistance to local governments; and
 - (m) The urban development office.
- (4) The Department for Local Government shall exercise all of the functions of the state local finance officer provided in KRS Chapters 66, 68, and 131 relating to the control of funds of counties, cities, and other units of local government.
- (5) Upon request of the Administrative Office of the Courts, the Department for Local Government shall evaluate the financial condition of any local unit of government selected to participate in a court facilities construction or renovation project under KRS 26A.160 and shall certify to the Administrative Office of the Courts the local unit of government's ability to participate in the project.
- (6) *The Department for Local Government shall encourage broadband and information technology deployment and adoption throughout Kentucky in accordance with Section 1 of this Act.*

SECTION 3. A NEW SECTION OF KRS CHAPTER 75 IS CREATED TO READ AS FOLLOWS:

If ad valorem taxes have been collected under the provisions of KRS 75.015 or 75.040 when no taxes were due for the tax year beginning on January 1, 2005, moneys not refunded after the two (2) year period set out under the provisions of KRS 134.590 shall not be considered unclaimed property of the state and may be expended by the fire district board of trustees.

Approved March 21, 2007.