

CHAPTER 89

(HB 238)

AN ACT relating to the Court of Justice, making an appropriation therefor, and declaring an emergency.

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

→Section 1. KRS 401.010 is amended to read as follows:

Any person at least eighteen (18) years of age may have his ***or her*** name changed by the District Court of the county in which he ***or she*** resides. If he ***or she*** resides on a United States Army post, military reservation or fort his ***or her*** name may be changed by the District Court of any county adjacent thereto.

→Section 2. KRS 401.020 is amended to read as follows:

Both parents, provided both are living, or one (1) parent if one (1) is deceased, or if no parent is living, the guardian, may have the name of a child under the age of eighteen (18) changed by the District Court, ***or if the Family Court or Circuit Court has a case before it involving the family, the Family Court of a county with a Family Court, or the Circuit Court of a county without a Family Court*** of the county in which the child resides. However, if one (1) parent refuses or is unavailable to execute the petition, proper notice of filing the petition shall be served in accordance with the Rules of Civil Procedure. If the child resides on a United States Army post, military reservation or fort his ***or her*** name may be changed by the District Court, ***or the Family Court of a county with a Family Court, or the Circuit Court of a county without a Family Court*** of any county adjacent thereto.

→Section 3. KRS 401.030 is amended to read as follows:

The original name, age and place of birth, the name to which the change is made, and the names of the infant's father and mother, if known, and of the person on whose motion the change is made shall be entered on the order book of the District Court, ***Family Court, or Circuit Court in which the action was brought and is authorized to do so pursuant to Section 2 of this Act.***

→Section 4. KRS 401.040 is amended to read as follows:

- (1) If the District Court, ***Family Court, or Circuit Court, as authorized by Section 2 of this Act,*** orders any person's name to be changed under this chapter, a copy of the order shall be certified by the clerk of that court to the county clerk, for record.
- (2) The county clerk shall keep an alphabetical index for each book of records, referring to the page on which each person's name change appears, and giving the name from and to which it is changed.

→SECTION 5. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO READ AS FOLLOWS:

The Administrative Office of the Courts shall require that any updates to or replacements of the centralized criminal history record information system established by this chapter or any case management software utilized in the offices of the Commonwealth's circuit clerks have the capability for those felony cases that reach final disposition with a conviction for a misdemeanor only to be redesignated with the same type of case designators as those used for cases that are initiated as misdemeanor cases.

→Section 6. Notwithstanding any provisions of the Kentucky Revised Statutes to the contrary, the State Property and Buildings Commission or the Kentucky Asset/Liability Commission shall issue the agency bonds authorized in this Act on behalf of the judicial branch of the Commonwealth of Kentucky.

→Section 7. There is hereby appropriated to the Judicial Branch from Restricted Funds \$3,229,400 in fiscal year 2013-2014 for debt service to support Agency Bonds as set forth in this section. There is hereby authorized and appropriated \$28,100,000 in Agency Bonds in fiscal year 2012-2013 for Phase I E-Case and Docket Management system.

→Section 8. (1) It is the intent of the 2013 General Assembly that the Judicial Branch should not base any decision to proceed with any capital project authorized in Section 7 of this Act on an expectation of receiving General Fund moneys in future biennia.

(2) All appropriations and authorizations to capital projects in Section 7 of this Act shall expire on June 30, 2014, unless reauthorized.

➔Section 9. Whereas it is imperative that the commencement of this capital project begin in fiscal year 2012-2013, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon it otherwise becoming law.

Signed by Governor March 22, 2013.