

**CHAPTER 176****( HB 405 )**

**Provisions of this bill that are to be deleted due to vetoes of the Governor that were not overridden by the General Assembly are displayed as bracketed and struck-through text enclosed in double asterisks, e.g., ~~\*\*[text]\*\*~~.**

AN ACT relating to appropriations and declaring an emergency.

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

➔Section 1. There is appropriated out of the general fund, federal funds, and the transportation fund in the State Treasury for the purpose of compensating persons and companies named below for claims which have been duly audited and approved according to law, but have not been paid because of lapsing or insufficiency of former appropriations against which the claims were chargeable, or the lack of an appropriate procurement document in place, the amounts listed below:

Andy Frain Services, Inc.

761 Shoreline Drive

Aurora, IL 60504-6194

\$28,056.00

Diamond Landscapes, Inc.

PO Box 650755

Dallas, TX 75265-0755

\$2,530.18

Eastern Kentucky University Student Accounting Services

ATTN: Neil Lindon

Whitlock CPO 60

521 Lancaster Avenue

Richmond, KY 40475-3100

\$11,607.42

Embry Merritt Shaffar Womack, PLLC

62 Public Square

Leitchfield, KY 42754-1104

\$1,775.00

Gaming Laboratories International, LLC

600 Airport Road

Lakewood, NJ 08701-5995

\$2,100.00

Improving – Atlanta

Innovative Architects, LLC

5445 Legacy Drive, Suite 100

Plano, TX 75024

\$20,100.00

Jarvis Food Equipment

Attn: Chris Jarvis

2195 Commercial Court

Evansville, IN 47720-1324

\$19,557.79

Johnson Bearse, LLP

326 West Main Street

Frankfort, KY 40601-1851	\$3,498.80
KVC Behavioral Healthcare of Kentucky	
2250 Thunderstick Drive, Suite 1104	
Lexington, KY 40505-9009	\$10,233.96
Marvin and McCrary Forensic Evaluation Services	
323 West Broadway #903	
Louisville, KY 40202-4602	\$424.00
Material Transfer	
15415 Shelbyville Road	
Louisville, KY 40245	\$26,000.00
Murray State University Breathitt Veterinary Center	
PO Box 2000	
101 MSU Drive	
Hopkinsville, KY 42241-2000	\$4,080.17
National Center for Families Learning, Inc.	
325 West Main Street, Suite 300	
Louisville, KY 40202-4251	\$69,507.41
Sani-Tech JetVac Services	
PO Box 74028	
Cleveland, OH 44194-4028	\$32,316.90
Sedgwick Claims Management Services Inc.	
2897 Momentum Place	
Chicago, IL 60689-5328	\$63,817.87
The Animal Clinic, P.S.C.	
201 North Main Street	
Lawrenceburg, KY 40342-1015	\$294.62
University of Pittsburgh	
ATTN: 371220	
500 Ross Street, 154-0455	
Pittsburgh, PA 15262-0001	\$123,975.00
University of Tennessee	
Institute of Agriculture	
ATTN: Angela Braden	
103 Morgan Hall	
Knoxville, TN 37996-4506	\$29,813.86
Veterinary Associates Stonefield	
203 Moser Road	
Louisville, KY 40223-3113	\$645.95
Wyatt, Tarrant, and Combs, LLP	

400 West Market Street, Suite 2000

Louisville, KY 40202-3227

\$11,082.50

➔Section 2. The claims listed in this section are for the payment of State Treasury checks payable to the persons or their personal representatives, and the firms listed, but not presented for payment within a period of five (5) years from the date of issuance of such checks as required by KRS 41.370 and 413.120:

Check #TA 16722669 dated April 21, 2015

Prerana P. Aghamkar

AKA Prerana P. Williamson

8321 Cherry Creek Drive

Centerville, OH 45458-3210

\$173.00

Check #T1 13959758 dated April 27, 2010

Eram Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$160.00

Check #T1 11711109 dated May 21, 2007

Mediha Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$373.00

Check #T1 13303689 dated April 29, 2009

Mediha Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$77.00

Check #T1 9288245 dated May 15, 2001

Saeed and K Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$540.00

Check #T1 11722592 dated May 25, 2007

Sana Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$100.00

Check #T1 13320260 dated May 4, 2009

Sana Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$8.00

Check #TA 15711981 dated May 8, 2013

Sana Ahmed

464 Bates Road

Elizabethtown, KY 42701-9558

\$207.00

Check #TA 16740517 dated April 22, 2015

Anthony T Austin 1202 Kentucky Street, Apt. 2 Bowling Green, KY 42101	\$175.00
Check #T1 13195584 dated April 15, 2009 Vincent and Rita Baker 126 Blanton Lane London, KY 40741-9294	\$626.00
Check #TA 16064054 dated March 25, 2014 Marsha G Black 2107 Dover Court Winchester, KY 40391-1045	\$202.00
Check #RA 12145760 dated November 27, 2013 Barbara K Braun Attn: Beate Lynn, KTRS 479 Versailles Road Frankfort, KY 40601-3868	\$1,869.84
Check # TA 15200049 dated May 15, 2012 Lois A Bringhurst 8612 Holston Road Louisville, KY 40222-5318	\$399.00
Check #T1 12102806 dated February 22, 2008 Phillip L and S Crawford 2188 Willow Neave Road Brooksville, KY 41004-8778	\$662.00
Check # P1 1332737 dated December 20, 1993 Mary Cull c/o Golf Villas @ Duckers 116 Hogan Drive Frankfort, KY 40601-8107	\$716.19
Check #T1 1776562 dated May 2, 2003 Jerry W Duvall 354 El Conquistador Place Louisville, KY 40220-2023	\$217.00
Check #L1 11080593 dated February 2, 2007 John Fender Labor Redeposit Kentucky State Treasury Frankfort, KY 40601	\$62.50
Check #GA 18400881 dated September 11, 2013	

Tabitha Grimes Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM 455 Park Place, Suite 120A Lexington, KY 40511-1881	\$250.00
Check #GA 18473697 dated October 9, 2013 Vanessa Hunt Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM 455 Park Place, Suite 120A Lexington, KY 40511-1881	\$250.00
Check #E1 2087113 dated September 22, 2004 Traore Issake 429 Lenox Avenue, Apt 22 New York, NY 10037-3534	\$202.00
Check #TA 15729175 dated May 10, 2013 Timothy and D Kopp 1431 Corydon Pike New Albany, IN 47150-6025	\$1,768.00
Check #EA 11721311 dated March 18, 2015 James D Lawson 5321 Haventree Place Louisville, KY 40229-2259	\$336.60
Check #GA 18386545 September 4, 2013 Gaylen Logan Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM 455 Park Place, Suite 120A Lexington, KY 40511-1881	\$250.00
Check #GA 17494706 dated September 10, 2012 Kacie Miller Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM 455 Park Place, Suite 120A Lexington, KY 40511-1881	\$250.00
Check #GA 19601320 dated February 20, 2015 Ronald D Miller Labor Redeposit Kentucky State Treasury Frankfort, KY 40601	\$538.08
Check #TA 15631062 dated April 17, 2013 K and P J Monroe	

512 West 15th Street Owensboro, KY 42301-3610	\$581.00
Check #TA 16186746 dated April 21, 2014 K and P J Monroe 512 West 15th Street Owensboro, KY 42301-3610	\$322.00
Check #E1 11206999 dated December 18, 2008 Stephen R and M Page 3805 Ashridge Drive Louisville, KY 40241-1652	\$79.27
Check #TA 15192155 dated May 14, 2012 Terry and Claudia Pearson 5413 State Route 97 Mayfield, KY 42066-7349	\$145.00
Check #T1 2733024 dated May 3, 2004 Darrell W and C Reffett 115 Wolf Creek Crossing Road Nancy, KY 42544-6638	\$583.00
Check #BA 11093265 dated May 14, 2012 Sams East Inc Attn: Cheryl Ryan, Unclaimed Property MS-0655 PO Box 8032 Bentonville, AR 72712-3332	\$781.33
Check #T1 14623931 dated May 23, 2011 Ryan V Sanurwin 1252 Telluride Circle Lexington, KY 40509-2394	\$93.00
Check #CA 12618871 dated October 14, 2014 Addison Scarry C/O Martha Metts 914 Rosemary Drive Louisville, KY 40213-1118	\$274.66
Check #TA 16143228 dated April 14, 2014 Richard G (Dec'd) and Marsha Segal 6509 Sedgwicke Drive Prospect, KY 40059-8803	\$827.00
Check #G 4854200 dated December 21, 1977 Charles B Severs PSC 117 Chanteclair Circle	

Gulf Breeze, FL 32561-4061	\$670.80
Check #GA 19982406 dated July 24, 2015	
Daniel Smith	
PO Box 158	
Memphis, IN 47143-0158	\$117.33
Check #TA 15891045 dated February 12, 2014	
Seth C Stearns	
591 Middle Fork Indian Creek Road	
Albany, KY 42602-8933	\$135.00
Check #CA 12583829 dated March 4, 2014	
Estate of Russell Stephens	
C/O Brook R Stephens Exe	
Attn: Lisa Hilton, KRS	
Frankfort, KY 40601-6157	\$5,000.00
Check #T1 13273406 dated April 24, 2009	
James A Taylor	
14451 Livingston Lane	
Carmel, IN 46074-5846	\$274.00
Check #G1 16117463 dated May 4, 2011	
Dennis Thomas	
2827 Dodd Road	
Murray, KY 42071-6821	\$65.00
Check #TA 16383434 dated February 12, 2015	
Rodney B and A LW Travis	
100 Providence Road	
Providence, KY 42450-5161	\$192.00
Check #BA 11124675 dated January 6, 2015	
Walmart Stores East LP	
Attn: Cheryl Ryan, Unclaimed Property MS-0655	
PO Box 8032	
Bentonville, AR 72712-3332	\$66.13
Check #BA 11124676 dated January 6, 2015	
Walmart Stores East LP	
Attn: Cheryl Ryan, Unclaimed Property MS-0655	
PO Box 8032	
Bentonville, AR 72712-3332	\$144.05
Check #BA 11124677 dated January 6, 2015	
Walmart Stores East LP	

- Attn: Cheryl Ryan, Unclaimed Property MS-0655  
 PO Box 8032  
 Bentonville, AR 72712-3332 \$938.93
- Check #T 6670647 dated April 20, 1999  
 Winset and L Webb  
 1702 Pleasureville Road  
 Pleasureville, KY 40057-6009 \$444.00
- Check #GA 19464632 dated December 11, 2014  
 Loreta K Westfield Estate  
 C/O Wilma Clayborn (Executrix)  
 6206 Leisure Lane  
 Louisville, KY 40229-1684 \$2,377.40
- Check #TA 16729775 dated April 22, 2015  
 Joshua Williamson  
 515 Willow Stone Way  
 Louisville, KY 40223-5570 \$63.00
- Check #T1 4599204 dated June 13, 2006  
 Cynthia M Witzer  
 2200 North Fort Thomas Avenue  
 Fort Thomas, KY 41075-1024 \$2,874.00
- ➔Section 3. The Finance and Administration Cabinet and the State Treasurer are authorized to pay the following listed claims from the following funds:
- (1) The Kentucky Retirement Systems is authorized to make payment from their retirement fund for State Treasury checks payable to the persons or their personal representatives but not presented for payment within a period of five (5) years from the date of issuance of such checks, the sum hereinafter specified:
- Check #KA 12361525 dated July 12, 2013  
 Sanders Swan  
 Attn: Rachel Young, KRS  
 1260 Louisville Road  
 Frankfort, KY 40601-6157 \$880.17
- ➔Section 4. Whereas the persons and companies named above have furnished in good faith services, supplies, and materials and the Commonwealth has received the same, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.
- ➔Section 5. **Office of Attorney General Additional Personnel:** There is hereby appropriated General Fund moneys in the amount of \$1,500,000, Restricted Fund moneys in the amount of \$1,500,000, and Federal Fund moneys in the amount of \$1,000,000 in fiscal year 2021-2022 to the Office of the Attorney General for additional personnel.
- ➔Section 6. **Forensic Laboratory Personnel:** There is hereby appropriated General Fund moneys in the amount of \$1,754,400 in fiscal year 2021-2022 to the Department of Kentucky State Police to convert forensic laboratory personnel to a 40-hour work week.
- ➔Section 7. **Prevention Services:** There is hereby appropriated General Fund moneys in the amount of \$20,000,000 in fiscal year 2021-2022 to the Department for Community Based Services to support prevention services for families. The Department shall use these funds to expand prevention services and shall apply for any and all potential federal match dollars made available through the American Rescue Plan Act of 2021 (H.R. 1319) or



other federal funding relating to family prevention services. Any matching funds shall be used in conjunction with the expansion of the Department's prevention services programs. Notwithstanding KRS 45.229, any portion of General Fund not expended for this purpose shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).

~~\*\*[➔Section 8. (1) — There is hereby appropriated Federal Funds in the amount of \$37,000,000 in fiscal year 2021-2022 to the Justice Administration budget unit to provide grants to entities to detect, diagnose, trace, and monitor SARS-CoV-2 and COVID-19 infections in congregate and vulnerable population settings. Priority for Federal Funds grant awards shall be given to agencies engaged in cooperative agreements or contracts with Commonwealth's Attorneys in individual Judicial Circuits to specifically address alternative sentencing and diversionary programs for census reduction in congregate settings including, but not limited to prisons, jails, detention centers, and reentry facilities. Grant awards shall focus on providing technical assistance, guidance, and support. The Secretary of the Justice and Public Safety Cabinet shall award grants, contracts, or cooperative agreements to state, local, territorial, and Tribal public health departments for activities to detect, diagnose, trace, monitor, and report on SARS-CoV-2 and COVID-19 infections and related strategies and activities to mitigate the spread of SARS-CoV-2, in congregate or vulnerable population settings.~~

~~(2) — The Secretary shall develop performance outcome measures to which recipients of the funds in subsection (1) of this section shall adhere. The Secretary shall submit a report to the Interim Joint Committee on Appropriations and Revenue by December 31, 2021, and June 30, 2022. The report shall detail which entities received funding, identify the amount of funds awarded to each entity, summarize each entity's use of funds, and summarize each entity's performance.]\*\*~~

➔Section 9. **State of Emergency Assistance Fund:** Notwithstanding KRS 157.611 to 157.665 or any other statute to the contrary, there is hereby appropriated General Fund moneys in the amount of \$10,000,000 in fiscal year 2021-2022 to the School Facilities Construction Commission to assist local school districts with costs for construction, repair, or renovation of facilities destroyed or severely damaged by a flood or heavy rainfall.

A local district shall be eligible to receive funds if the district is located in a county that was included in the Governor's state of emergency declared on February 28, 2021. Funds shall only be disbursed if a local district has fully expended all FEMA or insurance proceeds receive, and the proceeds were not sufficient to fully support the costs to construct, repair, or renovate the facilities. If the funds appropriated are not sufficient to fully support the costs to construct, repair, or renovate, the School Facilities Construction Commission is authorized to pro rata reduce the funds disbursed to each district.

The School Facilities Construction Commission shall develop the timeline for districts to request funds. The funds shall be disbursed to local district no later than October 1, 2021.

~~\*\*[➔Section 10. **Office of the Attorney General:** There is hereby appropriated Federal Fund moneys in the amount of \$2,000,000 in fiscal year 2021-2022 to the Office of the Attorney General for grants to be awarded to the Office of the Attorney General from the state's allocation of funding from the American Rescue Plan Act of 2021 (H.R. 1319) for the Coronavirus State and Local Fiscal Recovery Funds to be used to investigate, prosecute, or otherwise pursue appropriate remedies in connection with COVID-related schemes, fraud, violations of consumer protection statutes, fraudulent unemployment insurance benefit claims, cybercrimes, online threats, human trafficking, child abuse, and other related activity.]\*\*~~

~~\*\*[➔Section 11. **American Rescue Plan Act:** Notwithstanding KRS 45.229, in the event that any Federal Funds received from the American Rescue Plan Act of 2021 (H.R. 1319) are allotted, expended, or appropriated without the express authority of the General Assembly, General Fund moneys in the amount of \$902,200 in fiscal year 2021-2022 under the Office of State Budget Director budget unit shall be forfeited and shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).]\*\*~~

➔Section 12. **Proprietary Education:** There is hereby appropriated Restricted Fund moneys in the amount of \$133,000 in fiscal year 2021-2022 to the Proprietary Education budget unit.

➔Section 13. **Substance Abuse, Mental Health, and Reentry Service Centers:** (1) Notwithstanding any statute to the contrary, beginning in fiscal year 2022-2023, the Department of Corrections shall pay each contracted provider of substance abuse, mental health, and reentry centers a minimum of 65 percent of the contracted beds monthly. Any contracted, but unfilled contracted beds as of the date of this Act may, at the discretion of the provider, be terminated.

(2) Each contracted provider, as provided for in subsection (1) of this section, shall report 100 percent of their occupancy to the Department of Corrections. The report shall detail the total number of beds, the number of

beds available, the type of individual occupying bed space, and shall be submitted in a method and at a frequency established by the Department's discretion.

(3) Notwithstanding any statute to the contrary, the Department of Corrections shall be permitted to negotiate an inflationary price increase for contracted providers of substance abuse, mental health, and reentry centers during the COVID-19 state of emergency.

➔Section 14. **Reimbursement Rate Increase:** There is hereby appropriated General Fund moneys in the amount of \$12,000,000 in fiscal year 2021-2022 to the Department for Community Based Services to provide a \$2 per child increase in the Child Care Assistance Program provider reimbursement rate.

➔Section 15. By November 1, 2021, the Kentucky Department of Education shall submit a report to the Legislative Research Commission and the School Funding Task Force with options on how to ensure the equitable transfer of education funds so that funds follow a nonresident student to a school district of enrollment from a school district of residence. The report shall include recommendations on how the amount should be calculated and what mechanism should be used to conduct the transfer.

➔Section 16. (1) The Legislative Research Commission is hereby directed to establish the School Funding Task Force to:

(a) Review the entirety of the current of K-12 funding mechanism, including but not limited to the fund for the Support Education Excellence in Kentucky (SEEK) program, other state funds directed for the operation of the state's public school system, local revenues raised by school districts, and federal funds;

(b) Review publications, reports, and analyses of the current funding mechanism, including but not limited to a report from the Office of Education Accountability on the SEEK fund that was approved in the office's 2021 research agenda;

(c) Review the report from the Kentucky Department of Education submitted under Section 15 of this Act;

(d) Review how Kentucky's school funding mechanism compares with mechanisms developed by other states; and

(e) Develop and submit any recommendations and changes the task force may adopt relating to the SEEK fund to ensure the equitable and efficient funding of Kentucky's common schools to the Legislative Research Commission by December 1, 2021.

(2) The School Funding Task Force shall be composed of the following members, with final membership of the task force being subject to the consideration and approval of the Legislative Research Commission:

(a) Two members of the House of Representatives to be appointed by the Speaker of the House, one of whom shall be designated to serve as co-chair;

(b) Two members of the Senate to be appointed by the President of the Senate, one of whom shall be designated to serve as co-chair;

(c) One member of the House of Representatives to be appointed by the Minority Floor Leader of the House;

(d) One member of the Senate to be appointed by the Minority Floor Leader of the Senate;

(e) The commissioner of the Kentucky Department of Education or designee;

(f) Three school superintendents, one of whom shall be superintendent of an independent school district, submitted by the president of the Kentucky Association of School Superintendents; and

(g) Three local school board members, submitted by the executive director of the Kentucky School Boards Association.

(3) Provisions of this section to the contrary notwithstanding, the Legislative Research Commission shall have the authority to alternatively assign the issues identified herein to an interim joint committee or subcommittee thereof, and to designate a study completion date.

➔Section 17. Section 16 of this Act shall have the same legal status as a House Concurrent Resolution.

➔Section 18. The provisions of the State/Executive Branch Budget, 2021 Regular Session HB 192/EN, are amended to read as follows:

On page 80, delete lines 14 through 18 in their entirety;

Beginning on page 80, line 24, through page 81, line 6, delete language in its entirety; and  
On page 81, line 7, delete "(10)" and insert "(9)" in lieu thereof."

**Vetoed not acted on March 30, 2021.**