

CHAPTER 194

(HB 556)

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 fiscal matters, making an appropriation therefor, and declaring an emergency.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

(1) *As used in this section:*

- (a) *"Commission" means the Harrodsburg Sestercentennial Commission established in subsection (2) of this section; and*
- (b) *"Sestercentennial" means the two hundred fiftieth anniversary of the founding of Harrodsburg on June 16, 1774.*

(2) *The Harrodsburg Sestercentennial Commission is hereby established to plan, encourage, develop, and coordinate events and other activities related to the two hundred fiftieth anniversary of Harrodsburg in 2024. To accomplish its charge, the commission shall:*

- (a) *Ensure that adequate way-finding signage and mapping is accomplished to mark and identify Old Fort Harrod State Park;*
- (b) *Educate citizens of the Commonwealth and the nation about the stories of pioneers and Native Americans in the early days of westward settlement and the impact Harrodsburg and settlements of its nature had on Kentucky and American history;*
- (c) *Plan and implement events for a year-long sestercentennial commemoration in the year 2024 of the founding of Harrodsburg and whatever events in the immediately preceding and following years are deemed appropriate by the commission, including any battlefield commemorations if funds are available;*
- (d) *Assist local governments and their representatives with planning, preparation, and grant applications for sestercentennial events and projects;*
- (e) *Coordinate federal, state, local, and nonprofit organizations' sestercentennial activities occurring in Kentucky;*
- (f) *Coordinate events and activities with parties, commissions, and organizations wishing to participate in the 2024 commemoration;*
- (g) *Act as a point of contact for national organizations wishing to distribute information to state and local groups about grant opportunities, meetings, and national events related to the settlement of Harrodsburg and sestercentennial activities;*
- (h) *Seek funding sources such as foundations, line item appropriations, federal grants, philanthropic organizations, and lineage societies;*
- (i) *Create press, print, and electronic contacts that generate stories on a continual basis;*
- (j) *Encourage and contract new publications and create a call for papers on Harrodsburg, Fort Harrod, James Harrod, or other participating or involved parties, and how the history of this early frontier settlement impacted American history;*
- (k) *Organize symposiums and other methodologies to investigate genealogy relative to Harrodsburg;*
- (l) *Create higher and lower educational programs;*
- (m) *Perform other duties necessary to educate Kentuckians on the history of Harrodsburg and early frontier settlements and on the Commonwealth's role in early westward expansion;*
- (n) *Evaluate the existing infrastructure of Old Fort Harrod State Park, provide recommendations for what infrastructure should be in place for the successful undertaking of appropriate events and*

activities in accordance with this section, and coordinate with state and local bodies to make necessary infrastructure improvements; and

- (o) *Coordinate planning for the sestercentennial with the nonprofit organization Harrodsburg 250th, Inc., this organization having been established by the local governments of Harrodsburg and Mercer County to serve as the point of contact for local planning for the sestercentennial.*
- (3) *The commission shall consist of the following eleven (11) members:*
 - (a) *The secretary of the Education and Workforce Development Cabinet or his or her designee;*
 - (b) *The secretary of the Transportation Cabinet or his or her designee;*
 - (c) *Two (2) members from the Tourism, Arts and Heritage Cabinet, appointed by the secretary of the cabinet;*
 - (d) *One (1) member from the Kentucky Heritage Council, appointed by the state historic preservation officer;*
 - (e) *One (1) member of the Kentucky Humanities Council, appointed by the chair of the council;*
 - (f) *One (1) member of Harrodsburg 250th, Inc., recommended by the chair of that organization and appointed by the Governor;*
 - (g) *One (1) member of the Friends of Fort Harrod, recommended by the leader of that organization and appointed by the Governor; and*
 - (h) *Three (3) citizen members appointed by the Governor, one (1) of whom shall be designated as the chair.*
- (4) *The Harrodsburg Sestercentennial Commission shall be attached to the Kentucky Historical Society for administrative purposes only.*
- (5) *This section shall expire on January 1, 2027.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

- (1) *The Kentucky State Parks Centennial Commission is established to plan and implement events to celebrate the one hundredth anniversary of the state parks system in 2024. To accomplish its charge, the commission shall:*
 - (a) *Assist local governments and organizations with planning, preparation, and grant applications for parks centennial events and projects;*
 - (b) *Coordinate events and activities with parties, commissions, and organizations wishing to participate in the centennial celebration;*
 - (c) *Seek funding sources such as foundations, line item appropriations, federal grants, and philanthropic organizations;*
 - (d) *Establish press, print, and electronic contacts that generate stories on a continual basis; and*
 - (e) *Perform other duties necessary to highlight Kentucky's parks system during its one hundredth year.*
- (2) *The Kentucky State Parks Centennial Commission shall consist of the following nine (9) members:*
 - (a) *The secretary of the Tourism, Arts and Heritage Cabinet or his or her designee;*
 - (b) *One (1) additional member from the Tourism, Arts and Heritage Cabinet, appointed by the secretary;*
 - (c) *One (1) member from the Kentucky Historical Society, appointed by the executive director of the society;*
 - (d) *One (1) member from the Kentucky Heritage Council, appointed by the state historic preservation officer;*
 - (e) *Three (3) members selected by the secretary of the Tourism, Arts and Heritage Cabinet who work in onsite park leadership; and*
 - (f) *Two (2) citizen members, one (1) of whom shall be designated as the chair and appointed by the Governor.*

- (3) *The Kentucky State Parks Centennial Commission shall be attached to the Kentucky Tourism, Arts and Heritage Cabinet for administrative purposes only.*
- (4) *This section shall expire on January 1, 2025.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section:*

- (a) *"Commission" means the Kentucky Sestercentennial Commission established in subsection (2) of this section; and*
- (b) *"Sestercentennial" means the two hundred fiftieth anniversary of historic events from 1774 to 1776 that include the founding of Harrodsburg in 1774, the opening of Boone Trace in 1775, the genesis of westward movement, and the important events tied to our nation's founding in 1776.*

- (2) *The Kentucky Sestercentennial Commission is hereby established to plan and implement events to celebrate the two hundred fiftieth anniversary of Old Fort Harrod in 2024, culminating with the Declaration of Independence in 1776. To accomplish its charge, the commission shall:*

- (a) *Elect a chair of the commission and have the authority to form subcommittees and working groups that include non-commission members in order to plan, develop, and coordinate specific activities;*
- (b) *Plan, encourage, develop, and coordinate the commemoration of the two hundred fiftieth anniversary of the founding of the United States and recognize Kentucky's integral role in that event and the impact of its people on the nation's past, present, and future;*
- (c) *Ensure that adequate way-finding signage and mapping is accomplished to mark and identify the relevant points of interest and routes involved in the founding of Kentucky and the opening of the west;*
- (d) *Educate citizens of the Commonwealth and the nation about the stories of pioneers, African Americans, and Native Americans in the early days of westward settlement and the impact Fort Harrod and Fort Boonesborough had on Kentucky and American history;*
- (e) *Plan and implement events for a three (3) year sestercentennial commemoration of the years 2024 to 2026 and following years deemed appropriate by the commission, including any battlefield commemorations if funds are available;*
- (f) *Assist local governments with planning, preparation, and grant applications for sestercentennial events and projects;*
- (g) *Coordinate federal, state, local, and nonprofit organizations' sestercentennial activities occurring in Kentucky;*
- (h) *Coordinate events and activities with parties, commissions, and organizations wishing to participate in the commemoration;*
- (i) *Seek funding sources such as foundations, line item appropriations, federal grants, philanthropic organizations, and lineage societies;*
- (j) *Establish press, print, and electronic contacts that generate stories on a continual basis;*
- (k) *Encourage and contract new publications and create a call for papers on how the history of this early frontier settlement impacted American history;*
- (l) *Organize symposiums and other methodologies to investigate genealogy relative to the events involved in the founding of Kentucky and opening of the west;*
- (m) *Create higher and lower educational programs; and*
- (n) *Perform other duties necessary to educate Kentuckians on the history of early frontier settlements and on the Commonwealth's role in early westward expansion and to highlight the importance of the years 1774 to 1776 to Kentucky history.*

- (3) *The commission shall consist of the following fourteen (14) members:*

- (a) *The secretary of the Education and Workforce Development Cabinet or his or her designee;*

- (b) *One (1) member from the Tourism, Arts and Heritage Cabinet appointed by the secretary of the cabinet;*
 - (c) *One (1) member from the Kentucky Heritage Council, appointed by the state historic preservation officer;*
 - (d) *One (1) member from the Kentucky Humanities Council, appointed by the chair of the council;*
 - (e) *One (1) member of the Friends of Fort Harrod, recommended by the leader of that organization and appointed by the Governor;*
 - (f) *Three (3) citizen members appointed by the Governor, one (1) of whom shall be designated as the chair;*
 - (g) *The commissioner of the Department of Parks or his or her designee;*
 - (h) *The president of Friends of Boone Trace, Inc. or his or her designee;*
 - (i) *The president of the Fort Boonesborough Foundation, or his or her designee;*
 - (j) *One (1) member from the Kentucky African American Heritage Commission appointed by the chair of that commission;*
 - (k) *One (1) member of the Kentucky Native American Heritage Commission appointed by the chair of that commission; and*
 - (l) *One (1) member of the Kentucky Historical Society appointed by the executive director of the society.*
- (4) *The Kentucky Sestercentennial Commission shall be attached to the Kentucky Historical Society for administrative purposes only.*
- (5) *This section shall expire on January 1, 2027.*

➔Section 4. KRS 197.045 is amended to read as follows:

- (1) Any person convicted and sentenced to a state penal institution:
- (a) Shall receive a credit on his or her sentence for:
 1. Prior confinement as specified in KRS 532.120;
 2. Successfully receiving a High School Equivalency Diploma or a high school diploma, a college degree, a completed vocational or technical education program, or a correspondence postsecondary education program which results in a diploma or degree, as provided, defined, and approved by the department in the amount of ninety (90) days per diploma, degree, or technical education program completed;
 3. Successfully completing a drug treatment program, evidence-based program, or any other promising practice or life skills program approved by the department, in the amount of not more than ninety (90) days for each program completed. The department shall determine criteria to establish whether a life skills or promising practice program is eligible for sentence credits. Programs shall demonstrate learning of skills necessary for reintegration into the community to minimize barriers to successful reentry. Approval of programs shall be subject to review by the cabinet; and
 - (b) May receive a credit on his or her sentence for:
 1. Good behavior in an amount not exceeding ten (10) days for each month served, to be determined by the department from the conduct of the prisoner;
 2. Performing exceptionally meritorious service or performing duties of outstanding importance in connection with institutional operations and programs, awarded at the discretion of the commissioner in an amount not to exceed seven (7) days per month; and
 3. Acts of exceptional service during times of emergency, awarded at the discretion of the commissioner in an amount not to exceed seven (7) days per month.
- (2) Except for a sentencing credit awarded for prior confinement, the department may forfeit any sentencing credit awarded under subsection (1) of this section previously earned by the prisoner or deny the prisoner the right to

earn future sentencing credit in any amount if during the term of imprisonment, a prisoner commits any offense or violates the rules of the institution.

- (3) When two (2) or more consecutive sentences are to be served, the several sentences shall be merged and served in the aggregate for the purposes of the sentencing credit computation or in computing dates of expiration of sentence.
- (4) Until successful completion of the sex offender treatment program, an eligible sexual offender may earn sentencing credit. However, the sentencing credit shall not be credited to the eligible sexual offender's sentence. Upon the successful completion of the sex offender treatment program, as determined by the program director, the offender shall be eligible for all sentencing credit earned but not otherwise forfeited under administrative regulations promulgated by the Department of Corrections. After successful completion of the sex offender treatment program, an eligible sexual offender may continue to earn sentencing credit in the manner provided by administrative regulations promulgated by the Department of Corrections. Any eligible sexual offender, as defined in KRS 197.410, who has not successfully completed the sex offender treatment program as determined by the program director shall not be entitled to the benefit of any credit on his or her sentence. A sexual offender who does not complete the sex offender treatment program for any reason shall serve his or her entire sentence without benefit of sentencing credit, parole, or other form of early release. The provisions of this section shall not apply to any sexual offender convicted before July 15, 1998, or to any sexual offender with an intellectual disability.
- (5)
 - (a) The Department of Corrections shall, by administrative regulation, specify the length of forfeiture of sentencing credit and the ability to earn sentencing credit in the future for those inmates who have civil actions dismissed because the court found the action to be malicious, harassing, or factually frivolous.
 - (b) Penalties set by administrative regulation pursuant to this subsection shall be as uniform as practicable throughout all institutions operated by, under contract to, or under the control of the department and shall specify a specific number of days or months of sentencing credit forfeited as well as any prohibition imposed on the future earning of sentencing credit.
- (6) ***Starting in fiscal year 2021-2022 and through fiscal year 2023-2024, if a state prisoner is confined in a jail pursuant to Section 6 of this Act and earns sentencing credits under subsection (1)(a)2. or 3. of this section while confined in that jail, at the end of that prisoner's period of confinement in that jail, the department shall pay a fee to the unit of local government or regional jail authority responsible for the administration of that jail as follows:***
 - (a) ***For every Department of Corrections-approved program completed which resulted in the issuance of a ninety (90) day sentencing credit, a payment of one thousand dollars (\$1,000) shall be made;***
 - (b) ***For every Department of Corrections-approved program completed which resulted in the issuance of a sixty (60) day sentencing credit, a payment of six hundred dollars (\$600) shall be made; and***
 - (c) ***For every Department of Corrections-approved program completed which resulted in the issuance of a thirty (30) day sentencing credit, a payment of three hundred dollars (\$300) shall be made.***
- (7) The provisions in subsection (1)(a)2. of this section shall apply retroactively to July 1, 2018~~{15, 2014}~~.

➔Section 5. There is hereby appropriated General Fund moneys in the amount of \$30,000,000 in fiscal year 2021-2022 to the Community Services and Local Facilities budget unit to provide the incentive payments outlined in Sections 4 and 6 of this Act. Notwithstanding KRS 45.229, any unexpended funds in fiscal year 2021-2022 shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).

➔Section 6. KRS 532.100 is amended to read as follows:

- (1) As used in this section, "jail" means a "jail" or "regional jail" as defined in KRS 441.005.
- (2) When an indeterminate term of imprisonment is imposed, the court shall commit the defendant to the custody of the Department of Corrections for the term of his or her sentence and until released in accordance with the law.
- (3) When a definite term of imprisonment is imposed, the court shall commit the defendant to a jail for the term of his or her sentence and until released in accordance with the law.
- (4) When a sentence of death is imposed, the court shall commit the defendant to the custody of the Department of Corrections with directions that the sentence be carried out according to law.

- (5) (a) The provisions of KRS 500.080(5) notwithstanding, if a Class D felon is sentenced to an indeterminate term of imprisonment of five (5) years or less, he or she shall serve that term in a jail in a county in which the fiscal court has agreed to house state prisoners; except that, when an indeterminate sentence of two (2) years or more is imposed on a Class D felon convicted of a sexual offense enumerated in KRS 197.410(1), or a crime under KRS 17.510(11) or (12), the sentence shall be served in a state institution. Counties choosing not to comply with the provisions of this paragraph shall be granted a waiver by the commissioner of the Department of Corrections.
- (b) The provisions of KRS 500.080(5) notwithstanding, a Class D felon who received a sentence of more than five (5) years for nonviolent, nonsexual offenses, but who currently has less than five (5) years remaining to be served, may serve the remainder of his or her term in a jail in a county in which the fiscal court has agreed to house state prisoners.
- (c) 1. The provisions of KRS 500.080(5) notwithstanding, and except as provided in subparagraph 2. of this paragraph, a Class C or D felon with a sentence of more than five (5) years who is classified by the Department of Corrections as community custody shall serve that term in a jail in a county in which the fiscal court has agreed to house state prisoners if:
- a. Beds are available in the jail;
 - b. State facilities are at capacity; and
 - c. Halfway house beds are being utilized at the contract level as of July 15, 2000.
2. When an indeterminate sentence of two (2) years or more is imposed on a felon convicted of a sex crime, as defined in KRS 17.500, or any similar offense in another jurisdiction, the sentence shall be served in a state institution.
3. Counties choosing not to comply with the provisions of this paragraph shall be granted a waiver by the commissioner of the Department of Corrections.
- (d) Any jail that houses state inmates under this subsection shall offer programs as recommended by the Jail Standards Commission. The Department of Corrections shall adopt the recommendations of the Jail Standards Commission and promulgate administrative regulations establishing required programs for a jail that houses state inmates under this subsection. The Department of Corrections shall approve programming offered by jails to state inmates for sentencing credits in accordance with KRS 197.045.
- (e) Before housing any female state inmate, a jail shall be certified pursuant to KRS 197.020.
- (f) 1. a. If a jail is at or over one hundred fifty percent (150%) capacity, the Department of Corrections may direct the jail to transfer a specified number of state prisoners to vacant beds at other designated jails or state institutions. As used in this paragraph, "capacity" means the capacity listed on the certificate of occupancy issued each year to the jail by the Department of Corrections.
- b. The Department of Corrections shall choose which state prisoners are eligible for transfer based on the security level of the vacant bed at the receiving jail or state institution.
 - c. State prisoners who are approved for transfer to a Department of Corrections facility for necessary medical treatment and care pursuant to KRS 441.560 shall not be transferred to another jail.
 - d. State prisoners enrolled in a Department of Corrections approved program pursuant to KRS 197.045 shall not be transferred.
 - e. State prisoners awaiting trial in the county they are being housed shall not be transferred.
 - f. Jails that receive state prisoners pursuant to this subparagraph shall be responsible for the transportation of those prisoners to the jail.
2. If the Department of Corrections directs the transfer of a state prisoner pursuant to subparagraph 1. of this paragraph, the jailer has fourteen (14) days to transfer the state prisoner. If the jailer refuses to release custody of the state prisoner to the receiving jail within fourteen (14) days, the department shall reduce the per diem for the jail for an amount equal to the per diem of that prisoner for each day the jailer refuses to comply with the direction.

3. If the Department of Corrections directs the transfer of a state prisoner pursuant to subparagraph 1. of this paragraph, the jailer of the receiving jail shall accept the transfer and transport the state prisoner in accordance with subparagraph 1.f. of this paragraph. If, after receiving a copy of the direction, the jailer refuses to accept and transport the state prisoner, the Department of Corrections shall reduce the per diem for the receiving jail for an amount equal to the per diem of that prisoner for each day the jailer refuses to comply with the direction.
 4. If a jail has a vacant bed and has a Class C or Class D felon who, based on the Department of Corrections classification system, is eligible to be housed in that vacant bed, the department may direct the jail to transfer the state prisoner to that bed. If the jailer refuses to transfer the state prisoner to the vacant bed, the Department of Corrections shall reduce the per diem for the jail for an amount equal to the per diem of that prisoner for each day the jailer refuses to comply with the direction.
 5. The per diem reduced pursuant to subparagraph 2., 3., or 4. of this paragraph shall be enforced by withholding the amount from the per diem paid to the jail pursuant to KRS 431.215(2).
 6. If a jail that is at or over one hundred fifty percent (150%) capacity requests the transfer of a specified number of state prisoners, the Department of Corrections may, if vacant beds are available at other jails, direct the transfer in accordance with subparagraph 1. of this paragraph.
- (g) If a jail has vacant beds in an area of the jail usually reserved for state prisoners, the jail may house county prisoners in that area.
- (6) The jailer of a county in which a Class D felon or a Class C felon is incarcerated may request the commissioner of the Department of Corrections to incarcerate the felon in a state corrections institution if the jailer has reasons to believe that the felon is an escape risk, a danger to himself or herself or other inmates, an extreme security risk, or needs protective custody beyond that which can be provided in a jail. The commissioner of the Department of Corrections shall evaluate the request and transfer the inmate if he or she deems it necessary. If the commissioner refuses to accept the felon inmate, and the Circuit Judge of the county that has jurisdiction of the offense charged is of the opinion that the felon cannot be safely kept in a jail, the Circuit Judge, with the consent of the Governor, may order the felon transferred to the custody of the Department of Corrections.
- (7) (a) Class D felons and Class C felons serving their time in a jail shall be considered state prisoners, and, except as provided in subsection (5)(f) of this section, the Department of Corrections shall pay the jail in which the prisoner is incarcerated a per diem amount determined according to KRS 431.215(2). For other state prisoners and parole violator prisoners, the per diem payments shall also begin on the date prescribed in KRS 431.215(2), except as provided in subsection (5)(f) of this section.
- (b) 1. *The per diem amount paid to the jail shall be increased by two dollars (\$2) per day of program attendance for those inmates enrolled in and attending evidence-based programs approved by the department and that do not require instructors to have completed any postsecondary education.*
2. *The per diem amount paid to the jail shall be increased by ten dollars (\$10) per day of program attendance for those inmates enrolled in and attending evidence-based programs approved by the department and that require instructors to have completed particular postsecondary courses.*
- (c) *Any amount beyond the base per diem paid under paragraph (a) of this subsection that is paid under a contract to the jail for an inmate's attendance at an evidence-based program shall be credited toward the ten dollars (\$10) increase in per diem required under paragraph (b) of this subsection.*
- (8) State prisoners, excluding the Class D felons and Class C felons qualifying to serve time in jails, shall be transferred to the state institution within forty-five (45) days of final sentencing.
- (9) (a) Class D felons eligible for placement in a jail may be permitted by the warden or jailer to participate in any approved community work program or other form of work release with the approval of the commissioner of the Department of Corrections.
- (b) The authority to release an inmate to work under this subsection may be exercised at any time during the inmate's sentence, including the period when the court has concurrent authority to permit work release pursuant to KRS 439.265.

- (c) The warden or jailer may require an inmate participating in the program to pay a fee to reimburse the warden or jailer for the cost of operating the community work program or any other work release program. The fee shall not exceed the lesser of fifty-five dollars (\$55) per week or twenty percent (20%) of the prisoner's weekly net pay earned from the community work program or work release participation. In addition, the inmate may be required to pay for any drug testing performed on the inmate as a requirement of the community work program or work release participation.
- (d) This subsection shall not apply to an inmate who:
 1. Is not eligible for work release pursuant to KRS 197.140;
 2. Has a maximum or close security classification as defined by administrative regulations promulgated by the Department of Corrections;
 3. Is subject to the provisions of KRS 532.043; or
 4. Is in a reentry center as defined in KRS 441.005.

➔SECTION 7. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "development area" means a region within a consolidated local government bounded by:*
 - (a) *To the south, Algonquin Parkway to the South Seventh Street intersection, but including the unincorporated communities adjacent to Park Duvalle and Algonquin:*
 1. *Beginning at the Ohio River, at the southwest corner of Chickasaw Park and then along the park's southern boundary to Southwestern Parkway;*
 2. *Southwestern Parkway south to Algonquin Parkway;*
 3. *Algonquin Parkway to South Forty-first Street;*
 4. *South Forty-first Street south to Bells Lane;*
 5. *Bells Lane east to Cane Run Road;*
 6. *Cane Run Road north to Linwood Avenue;*
 7. *Linwood Avenue east to Beech Street;*
 8. *Beech Street south to Wingfield Lane;*
 9. *Wingfield Lane east to Dixie Highway;*
 10. *Dixie Highway north to Algonquin Parkway; and*
 11. *Algonquin Parkway east to South Seventh Street;*
 - (b) *To the east, South Seventh Street north to Ninth Street and Ninth Street north to the Ohio River; and*
 - (c) *The Ohio River to the north and west;*
- (2) *Prior to any development actions taken by the West End Opportunity Partnership, a minimum investment shall be pledged within the order listed and received by the West End Opportunity Partnership:*
 - (a) *A combined total of twenty million dollars (\$20,000,000) shall be pledged by and received from private sector investors and a consolidated local government, with a minimum of five million dollars (\$5,000,000) pledged by a consolidated local government; and*
 - (b)
 1. *Only upon verification of receipt of the twenty million dollars (\$20,000,000) pledged under paragraph (a) of this subsection, general fund moneys in the amount of ten million dollars (\$10,000,000) shall be appropriated by the General Assembly to the Department for Local Government for use by the West End Opportunity Partnership for revitalization of the development area.*
 2. *The Kentucky State Treasurer shall verify that the West End Opportunity Partnership received the full twenty million dollars (\$20,000,000) in accordance with paragraph (a) of this subsection prior to the General Assembly appropriating ten million dollars (\$10,000,000) from the general fund. The West End Opportunity Partnership shall provide the Kentucky State Treasurer the information needed to verify receipt of the funds. Within thirty (30) days of*

verifying the funds, the Kentucky State Treasurer shall notify the Interim Joint Committee on Appropriations and Revenue.

3. *If the West End Opportunity Partnership has not received the full twenty million dollars (\$20,000,000) in accordance with paragraph (a) of this subsection prior to June 30, 2022, the General Assembly shall not appropriate the ten million dollars (\$10,000,000) required by subparagraph 1. of this paragraph.*

→Section 8. Sections 1 and 3 of this Act, as codified following the 2021 Regular Session of the Kentucky General Assembly, shall be repealed effective January 1, 2027. Section 2 of this Act, as codified following the 2021 Regular Session of the Kentucky General Assembly, shall be repealed effective January 1, 2025.

→Section 9. Section 7 of this Act is effective only if the 2021 Regular Session House Bill Number 321 is enacted and becomes law.

→Section 10. There is hereby appropriated General Fund moneys in the amount of \$20,000,000 in fiscal year 2021-2022 to the rural hospital operations and facilities revolving loan fund established in KRS 154.20-190.

→Section 11. (1) There is hereby appropriated Federal Funds from the American Rescue Plan Act in the amount of \$37,000,000 in fiscal year 2021-2022 to the ~~**[Justice] Administration **~~~~[budget unit]~~ to provide grants to mitigate the spread of SARS-CoV-2 and COVID-19 infections in congregate or vulnerable population settings. ~~**[The Justice and Public Safety Cabinet shall issue a Request for Proposals to determine if vendors can provide services 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 12. The provisions of the Judicial Branch Budget, 2021 Regular Session HB 195/VO in Part, are amended as follows:

On page 10, delete lines 15 through 22 in their entirety and renumber subsequent sections accordingly.

→Section 13. The Court of Justice shall prepare a report detailing the existing budget processes of the Court of Justice and the actual expenditure of funds from fiscal year 2020-2021 and budgeted expenditures for fiscal year 2021-2022, by fund source and individual location or office, for the Supreme Court, Court of Appeals, Circuit Court, Family Court, District Court, Administrative Office of the Courts, Judicial Retirement, Local Facilities Fund, Local Facilities Use Allowance Contingency Fund, and for services performed by the Circuit Court Clerks' offices. This report shall be submitted to the Interim Joint Committee on Appropriations and Revenue by September 1, 2021.

→Section 14. (1) There is hereby appropriated General Fund moneys in the amount of \$14,700,000 in fiscal year 2021-2022 to the Court Operations and Administration budget unit to provide technology upgrades for virtual hearing equipment between county jails and courts in the amounts specified below:

- (a) \$6,000,000 to expand video arraignment systems to all courtrooms;
- (b) \$4,600,000 to support videoconferencing systems to permit a hybrid court model;
- (c) \$2,000,000 to incorporate a self-represented litigant portal;
- (d) \$1,100,000 to procure redaction system software; and
- (e) \$1,000,000 to procure self-service kiosks.

(2) Pursuant to KRS Chapter 45A, the Administrative Office of the Courts shall issue requests for proposals for the items listed in subsection (1) of this section by September 30, 2021.

➔Section 15. There is hereby appropriated Federal Funds from the American Rescue Plan Act in the amount of \$6,173,600 in fiscal year 2020-2021 and \$5,934,200 in fiscal year 2021-2022 to the Community Services and Local Facilities budget unit to provide a \$2 per day, per state inmate per diem. The per diem shall be used to defray COVID-19-related expenditures for testing, mitigation, and other response expenditures to county jails that house state inmates. The funds hereby appropriated shall be retroactively paid to county jails that have housed state inmates in fiscal year 2020-2021 since the initial emergency declaration was issued and shall continue to be paid in fiscal year 2021-2022 for the duration of COVID-19-related emergency declarations in accordance with the provisions of KRS Chapter 39A.

➔Section 16. (1) There is hereby authorized and appropriated Federal Funds from the Coronavirus Capital Projects Fund of the American Rescue Plan Act in the amount of \$53,000,000 in fiscal year 2021-2022 to the Facilities and Support Services budget unit in the Finance and Administration Cabinet for continuing renovations to the interior of the Capitol Building including mechanical, electrical, and plumbing upgrades. These expenditures shall conform to KRS 45.750 to 45.818.

(2) There is hereby authorized and appropriated Federal Funds from the Coronavirus Capital Projects Fund of the American Rescue Plan Act in the amount of \$5,000,000 in fiscal year 2021-2022 to the Facilities and Support Services budget unit in the Finance and Administration Cabinet for renovations to the exterior of the Capitol Annex Building including terrace repairs and waterproofing upgrades. These expenditures shall conform to KRS 45.750 to 45.818.

(3) In the event that the appropriations authorized in subsections (1) and (2) of this section do not qualify as eligible expenditures of the Coronavirus Capital Projects Fund, the Federal Funds shall be reallocated to the School Facilities Replacement and Renovation Fund.

➔Section 17. There is hereby appropriated Federal Funds from the Coronavirus Capital Projects Fund of the American Rescue Plan Act of 2021 in the amount of \$127,000,000 in fiscal year 2021-2022 to the School Facilities Replacement and Renovation Fund in the School Facilities Construction Commission budget unit to support school facility construction costs.

Notwithstanding KRS 157.611 to 157.665, the School Facilities Construction Commission is authorized to make additional offers of assistance in fiscal year 2021-2022 to local school districts for schools that are ranked as the highest on the Kentucky Facilities Inventory and Classification System report as of February 27, 2020, that are A1 schools, that are ranked as a Priority 1 or 2 on the local school district's facility plan, and that have levied a ten-cent equivalent tax dedicated to capital improvements but remain unable to cash fund or to sufficiently support the required annual debt service for replacement or renovation of the school. The offer of assistance shall represent the difference between the cost to replace or renovate the designated facility and the amount of available local resources.

The School Facilities Construction Commission shall make offers of assistance to each local school district only upon the written authorization of the Commissioner of Education or his or her designee and documentation of the project cost.

➔Section 18. There is hereby appropriated General Fund moneys in the amount of \$75,000,000 in fiscal year 2021-2022 to the School Facilities Construction Commission to support local area vocational education center renovation costs. A local school district that owns a facility designated as a local area vocational education center shall be eligible to receive up to \$10,000,000 to support renovation costs if the center provides ~~**[substance use disorder programs and]~~** job creation training. The School Facilities Construction Commission shall establish a funding pool and develop criteria for the districts to receive funding. Substance use disorder programs, job creation and training programs, bonding capacity, and a needs-based local match shall be included in the criteria.

➔Section 19. Whereas an appropriation of moneys is made in fiscal year 2020-2021 to the Community Services and Local Facilities budget unit, 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.

Vetoed in part and became law without Governor's signature April 7, 2021.