

CHAPTER 116

(HB 448)

AN ACT relating to government agencies, making an appropriation therefor, and declaring an emergency.

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

➔Section 1. 2022 Kentucky Acts Chapter 183, Section 6, at page 1099, is amended to read as follows:

There is hereby appropriated to the Council on Postsecondary Education General Fund moneys in the amount of \$1,500,000 in fiscal year 2022-2023 for the costs incurred by the council in carrying out its duties described in Sections 1 to 3 of this Act. ***Notwithstanding KRS 45.229, any portion of these funds that have not been expended by the end of fiscal year 2022-2023 shall not lapse and shall carry forward into fiscal year 2023-2024.***

➔Section 2. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, A. General Government, 9. Department for Local Government, (11) Community Development Projects, at pages 1639 to 1640, as amended by 2022 Kentucky Acts Chapter 239, is further amended to read as follows:

(11) Community Development Projects: Included in the above General Fund appropriation are the following one-time allocations for the 2022-2024 fiscal biennium:

- (a) \$3,500,000 in each fiscal year to the Boone's Ridge Appalachian Wildlife Foundation for Boone's Ridge in Bell County;
- (b) \$15,000,000 in each fiscal year to the Todd County Fiscal Court for the natural gas pipeline project;
- (c) \$200,000 in fiscal year 2022-2023 to the United Methodist Mountain Mission to support operations;
- (d) \$400,000 in each fiscal year to the Kentucky Pilots Association Education Foundation;
- (e) \$2,000,000 in fiscal year 2022-2023 to the Paducah Symphony;
- (f) \$4,300,000 in fiscal year 2022-2023 to the Louisville Orchestra;
- (g) \$100,000 in fiscal year 2022-2023 to the Hickman County Fiscal Court for the Civil War Days;
- (h) \$2,500,000 in fiscal year 2022-2023 to the Paintsville High School STEM Program;
- (i) \$10,000,000 in each fiscal year to the Lincoln County Fiscal Court for the natural gas pipeline project;
- (j) \$200,000 in each fiscal year to the Backroads of Appalachia in Harlan, Kentucky, to support economic development;
- (k) \$1,500,000 in each fiscal year to the Russell County Regional Agribusiness Training Facility;
- (l) \$750,000 in fiscal year 2022-2023 to the ***City of Lancaster for the fire department substation*** ~~for the Garrard County Fiscal Court for the Garrard County Emergency Medical Services and Crescent Spring Fire Department~~;
- (m) \$500,000 in fiscal year 2023-2024 to the Fern Creek Community Center in Louisville, Kentucky;
- (n) \$750,000 in fiscal year 2023-2024 to the Hart County Chamber of Commerce;
- (o) \$300,000 in fiscal year 2023-2024 to the City of Greensburg for beautification projects;
- (p) \$20,000 in fiscal year 2022-2023 to the City of Wilmore for the Downtown Greenstage;
- (q) \$6,000 in fiscal year 2022-2023 to the Jessamine County Fiscal Court for the High Bridge Firehouse;
- (r) \$50,000 in fiscal year 2022-2023 to the Jessamine County Fiscal Court for land acquisition at the High Bridge boat ramp;
- (s) \$1,400,000 in fiscal year 2022-2023 to the city of Williamsburg for renovation and expansion of the Kentucky Splash Waterpark and Campground;
- (t) \$10,000,000 in fiscal year 2022-2023 to the Louisville Zoo for construction of Kentucky trails habitat. ***Notwithstanding KRS 45.229, any portion of these funds that have not been expended by the end of fiscal year 2022-2023 shall not lapse and shall carry forward into fiscal year 2023-2024;***
- (u) \$2,500,000 in fiscal year 2022-2023 to the City of Corbin for the Corbin Arena and Corbin Center;

- (v) \$1,000,000 in fiscal year 2022-2023 to the City of Barbourville for renovations to the Barbourville City Hall;
- (w) \$1,250,000 in fiscal year 2022-2023 to the Jackson County Fiscal Court for a new building for the Jackson County Emergency Medical Services;
- (x) \$400,000 in fiscal year 2022-2023 to the KCEOC Community Action Partnership for a vocational and technical training facility;
- (y) \$750,000 in fiscal year 2022-2023 to the City of Booneville for a city revitalization project;
- (z) \$4,250,000 in fiscal year 2022-2023 to the Manchester/Clay County Tourism Commission, Elk Hill Regional Industrial Authority, and Volunteers of America for land acquisition, renovations, upgrades, and Elk Hill Spec Building and Housing;
- (aa) \$500,000 in fiscal year 2022-2023 to the Scott United Ministries A.M.E.N. House for acquisition or construction of a new building;
- (ab) \$250,000 in fiscal year 2022-2023 to the Monroe County Fiscal Court to allow the Monroe County Medical Center to begin offering emergency medical services and paramedic training;
- (ac) \$600,000 in fiscal year 2022-2023 to the Housing Authority of Bowling Green to create a small business incubator for low income, minority, and women-owned businesses in collaboration with the city of Bowling Green;
- (ad) \$1,000,000 in fiscal year 2022-2023 to the City of Somerset Parks and Recreation for upgrades to youth sports facilities;
- (ae) \$3,000,000 in fiscal year 2022-2023 to the Christian County Board of Education for the Fort Campbell Industrial Training Partnership;
- (af) \$3,000,000 in fiscal year 2022-2023 to the Barren County Family YMCA Foundation for a swimming pool facility, equipment, and HVAC and building repair;
- (ag) \$1,000,000 in fiscal year 2022-2023 to the Green County Fiscal Court for industrial park site development;
- (ah) \$1,000,000 in fiscal year 2022-2023 to the Kentucky Science and Technology Corporation for the VALOR program;
- (ai) \$1,000,000 in fiscal year 2022-2023 to USA Cares to support veterans and their families;
- (aj) \$650,000 in fiscal year 2022-2023 to Bellewood and Brooklawn to support the Avenues to Success pilot program;
- (ak) \$5,000,000 in fiscal year 2022-2023 to the Bell County Fiscal Court to support industrial projects;
- (al) \$1,000,000 in fiscal year 2023-2024 to the Green County Fiscal Court for the American Legion Park Trail Development Project; and
- (am) \$195,000 in fiscal year 2022-2023 to Old Bardstown Village, Inc. for flood damage repairs.

➔Section 3. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, A. General Government, 28. Teachers' Retirement System, at pages 1652 to 1653, is amended to read as follows:

28. TEACHERS' RETIREMENT SYSTEM

	2021-22	2022-23	2023-24
General Fund	479,242,300	722,100,400 [761,425,500]	728,406,000 [767,731,100]
Restricted Funds	503,100	18,553,300	19,330,200
TOTAL	479,745,400	740,653,700 [779,978,800]	747,736,200 [787,061,300]

(1) **Debt Service:** Included in the above General Fund appropriation is \$17,365,500 in fiscal year 2022-2023 for debt service on previously issued bonds.

(2) **Dependent Subsidy for All Retirees under age 65:** Pursuant to KRS 161.675(4), health insurance supplement payments made by the retirement system shall not exceed the amount of the single coverage insurance premium.

(3) Retiree Health Insurance: Pursuant to KRS 161.550(2)(b) and notwithstanding any statute to the contrary, included in the above General Fund appropriation is \$71,200,000 in fiscal year 2022-2023 and \$77,700,000 in fiscal year 2023-2024 to support the state's contribution for the cost of retiree health insurance for members not eligible for Medicare who have retired on or after July 1, 2010. Notwithstanding KRS 161.675, the Teachers' Retirement System Board of Trustees shall provide health insurance supplement payments towards the cost of the single coverage insurance premium based on age and years of service credit of eligible recipients of a retirement allowance, the cost of which shall be paid from the Medical Insurance Fund. Notwithstanding KRS 161.675, the Teachers' Retirement System Board of Trustees shall authorize eligible recipients of a retirement allowance from the Teachers' Retirement System who are less than age 65 to be included in the state-sponsored health insurance plan that is provided to active teachers and state employees under KRS 18A.225. Notwithstanding KRS 161.675(4)(a), the contribution paid by retirees who are less than age 65 who qualify for the maximum health insurance supplement payment for single coverage shall be no more than the sum of (a) the employee contribution paid by active teachers and state employees for a similar plan, and (b) the standard Medicare Part B premium as determined by the Centers for Medicare and Medicaid Services. Notwithstanding KRS 161.675(4)(a), the contribution paid by retirees who are less than age 65 who do not qualify for the maximum health insurance supplement payment for single coverage shall be determined by the same graduated formula used by the Teachers' Retirement System for Plan Year 2022.

(4) Medical Insurance Fund Employee Contributions: Notwithstanding KRS 161.540(1), the employee contribution to the Medical Insurance Fund shall not be changed in fiscal year 2022-2023 or fiscal year 2023-2024.

(5) Amortized Benefits Payoff: Included in the above General Fund appropriation is \$479,242,300 in fiscal year 2021-2022 to pay off the principal balance for past benefit enhancements. Notwithstanding KRS 45.229, any funds in excess of the principal balance shall lapse to the Budget Reserve Trust Fund Account (KRS 48.705).

(6) Sick Leave Liability Reporting[Payment]: ~~Included in the above General Fund appropriation is \$39,325,100 in each fiscal year to support the actuarial cost of sick leave benefits for new retirees.~~ The Teachers' Retirement System shall provide a report on the cost of sick leave to the Public Pension Oversight Board no later than December 1, 2023.

(7) Actuarially Determined Employer Contribution: Included in the above General Fund appropriation is \$629,415,000 in fiscal year 2022-2023 and \$646,456,000 in fiscal year 2023-2024 to provide the full actuarially determined employer contribution. The Teachers' Retirement System shall provide a report on the actuarially determined employer contribution to the Public Pension Oversight Board no later than December 1, 2023.

(8) Salary Increment: Notwithstanding Part III, 2. of this Act, unexpended Restricted Funds to administer the salary increment pursuant to Part IV, 2. of this Act shall become available for expenditure in the 2022-2024 fiscal biennium. The Teachers' Retirement System shall submit a report on the cost to implement the salary increment to the Interim Joint Committee on Appropriations and Revenue no later than August 1, 2022.

➔Section 4. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, C. Department of Education, 2. Operations and Support Services, at pages 1658 to 1659, as amended by 2022 Kentucky Acts Chapter 2 and 2022 (1st Extra. Sess.) Kentucky Acts Chapter 1, is further amended to read as follows:

2. OPERATIONS AND SUPPORT SERVICES

	2021-22	2022-23	2023-24
General Fund	30,603,800	63,901,300 60,401,300	64,606,600 61,106,600
Restricted Funds	91,400	48,179,100	8,200,100
Federal Funds	130,400	465,364,900	465,407,300
TOTAL	30,825,600	577,445,300 573,945,300	538,214,000 534,714,000

(1) Employment of Leadership Personnel: Notwithstanding KRS 18A.005 to 18A.200, the Kentucky Board of Education shall continue to have sole authority to determine the employees of the Department of Education who are exempt from the classified service and to set those employees' compensation comparable to the competitive market.

(2) Debt Service: Included in the above General Fund appropriation is \$584,000 in fiscal year 2022-2023 and \$1,168,000 in fiscal year 2023-2024 for new debt service to support new bonds as set forth in Part II, Capital Projects Budget, of this Act.

(3) **Blind/Deaf Residential Travel Program:** Included in the above General Fund appropriation is \$492,300 in each fiscal year for the Blind/Deaf Residential Travel Program.

(4) **School Food Services:** Included in the above General Fund appropriation is \$3,827,000 in each fiscal year for the School Food Services Program.

(5) **Advanced Placement and International Baccalaureate Exams:** Notwithstanding KRS 160.348(3), included in the above General Fund appropriation is \$1,000,000 in each fiscal year to pay the cost of Advanced Placement and International Baccalaureate examinations for those students who meet the eligibility requirements for free or reduced-price meals. Notwithstanding KRS 154A.130(4) and 160.348(3), included in the above General Fund appropriation is \$2,600,000 in each fiscal year to pay the cost of Advanced Placement examinations for students on a first-come, first-served basis.

(6) **Review of the Classification of Primary and Secondary School Buildings:** Included in the above General Fund appropriation is \$600,000 in each fiscal year to implement KRS 157.420(9) and (10). Notwithstanding KRS 45.229, any portion of the \$600,000 that has not been expended by the end of fiscal year 2022-2023 shall not lapse and shall carry forward into fiscal year 2023-2024. Notwithstanding KRS 157.420(9) and (10), only schools classified as A1, A2, A3, A4, A5, A6, C2, and D1 shall be included in the evaluation process. Notwithstanding KRS 157.420(9) and (10), the Department of Education may limit the school buildings included in the evaluation process based on the time elapsed since the building's construction or last major renovation as defined in 702 KAR 4:160. The Department of Education shall provide an updated list of school buildings evaluated by the process pursuant to KRS 157.420(9) and (10) to the Legislative Research Commission by October 1, 2023.

(7) **District Facility Plan Modifications:** Notwithstanding any statute to the contrary, a district may modify its district facility plan without convening the local planning committee for the sole purpose of complying with KRS 158.162(3)(d). Any modification shall identify an unmet requirement of KRS 158.162(3)(d) as the highest priority on the modified district facility plan, subject to approval by the local board of education and the Commissioner of Education.

~~[(8) **Kentucky Datastream Initiative:** Included in the above General Fund appropriation is a one-time allocation of \$3,500,000 in each fiscal year for the Kentucky Datastream Initiative.]~~

➔Section 5. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, D. Education and Labor Cabinet, 1. General Administration and Program Support, at pages 1661 to 1662, is amended to read as follows:

1. GENERAL ADMINISTRATION AND PROGRAM SUPPORT

	2021-22	2022-23	2023-24
General Fund (Tobacco)	-0-	1,400,000	1,400,000
General Fund	125,600	21,656,400 18,156,400	21,505,900 18,005,900
Restricted Funds	728,400	25,095,900	25,215,700
Federal Funds	24,000	6,636,800	6,636,000
TOTAL	878,000	54,789,100 51,289,100	54,757,600 51,257,600

(1) **Early Childhood Development:** Included in the above General Fund (Tobacco) appropriation is \$1,400,000 in each fiscal year for the Early Childhood Advisory Council.

(2) **Governor's Scholars Program:** Included in the above General Fund appropriation is \$1,758,700 in each fiscal year for the Governor's Scholars Program.

(3) **Governor's School for Entrepreneurs:** Included in the above General Fund appropriation is \$895,000 in each fiscal year for the Governor's School for Entrepreneurs.

(4) **Kentucky Center for Statistics:** (a) Included in the above General Fund appropriation is \$1,200,000 in fiscal year 2022-2023 and \$1,733,300 in fiscal year 2023-2024 to sustain the State Longitudinal Data System.

(b) Included in the above General Fund appropriation is \$1,363,200 in each fiscal year for the Workforce Data Quality Initiative and Supplemental Nutrition Assistance Program data collection and analysis.

(5) **The Hope Center:** Included in the above General Fund appropriation is \$100,000 in each fiscal year for the Hope Center. Included in the above General Fund appropriation is an additional one-time allocation of \$250,000 in fiscal year 2022-2023 for the Hope Center.

(6) **Kentucky Adult Learner Program:** Included in the above General Fund appropriation is \$2,000,000 in each fiscal year for the Kentucky Adult Learner Program. The purpose of the program is to provide adults 18 years of age or older who have not graduated high school the opportunity to earn a high school diploma. The Education and Labor Cabinet (ELC) and the Kentucky Department of Education shall authorize a single eligible entity to operate the program for not more than 350 adult learners. The eligible entity shall be a Kentucky-based non-profit organization, agree to commit at least \$1,000,000 to the program, and staff the program with certified teachers teaching core academic subjects.

Notwithstanding any statute to the contrary, the Kentucky Adult Learner Program shall have authorization to issue a Kentucky high school diploma to an adult learner participant if all of the minimum graduation requirements under Kentucky law are met.

The Kentucky Board of Education and the ELC shall develop metrics that will appropriately assess the expected performance outcomes of the program.

(7) **Heuser Hearing Institute:** Included in the above General Fund appropriation is \$1,500,000 in each fiscal year for the Heuser Hearing Institute to develop a program to close the education and achievement gaps for deaf and hard-of-hearing individuals.

(8) **Workforce Development Program Analysis:** Included in the above General Fund appropriation is \$500,000 in fiscal year 2022-2023 to study the effectiveness of Kentucky's state-sponsored workforce development programs. The Cabinet shall collaborate with the Center for Business and Economic Research at the University of Kentucky to establish the scope of the study. The Cabinet shall provide a report regarding the outcome of the study to the Interim Joint Committee on Economic Development and Workforce Investment by December 1, 2023.

(9) **Everybody Counts Program:** Included in the above General Fund appropriation is \$5,000,000 in each fiscal year for the Everybody Counts Program.

(10) **Kentucky Datastream Initiative:** *Included in the above General Fund appropriation is a one-time allocation of \$3,500,000 in each fiscal year for the Kentucky Datastream Initiative.*

➔Section 6. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, K. Public Protection Cabinet, 1. Secretary, (1) Nonprofit Assistance, at pages 1699 to 1700, as amended by 2022 Kentucky Acts Chapter 239, is further amended to read as follows:

(1) **Nonprofit Assistance:** (a) Included in the above Federal Funds appropriation is \$75,000,000 in fiscal year 2022-2023 from the State Fiscal Recovery Fund of the American Rescue Plan Act of 2021 to provide direct relief payments to eligible nonprofit organizations. *Of this amount, \$2,570,400 in fiscal year 2022-2023 is appropriated as a one-time allocation to the Kentucky Nonprofit Network to support outreach, resources, and programming for Kentucky nonprofits to strengthen Kentucky communities. Beginning July 1, 2023, through September 1, 2027, the Kentucky Nonprofit Network shall provide an annual report to the Interim Joint Committee on Appropriations and Revenue by September 1 detailing the impact of these funds on the ability of nonprofits to mitigate the negative impact of COVID-19 and provide effective services.* Notwithstanding KRS 45.229, any unexpended Federal Funds from the American Rescue Plan Act of 2021 Federal Funds appropriations shall not lapse and shall carry forward. Eligible nonprofit organizations will be entitled to apply for a one-time assistance grant of a maximum amount of \$100,000 per organization, not to exceed the net negative revenue difference between the organization's calendar year 2020 and calendar year 2021 financial statements.

1. One-time assistance grants will be reviewed in the order in which they are received and eligible grants will be provided until the appropriate amount is exhausted.

2. The process for determining an applicant's eligibility and awarding the grants will be determined by the Secretary of the Public Protection Cabinet.

(b) Eligible nonprofit organization means organizations meeting all of the following criteria:

1. A nonprofit that has been granted exemption from the federal income tax by the United States commissioner of internal revenue as organizations described in Section 501(c)(3), (6), or (8) or as veterans' organizations described in Section 501(c) of the United States Internal Revenue Code of 1986 and subject to the provisions of the Nonprofit Corporation Act;

2. A nonprofit based in Kentucky providing services to Kentuckians;

3. Excluding nonprofit arts organizations, a nonprofit providing services to the following populations most affected by COVID-19:

- a. People living at or below the federal poverty level;
- b. People experiencing homelessness;
- c. Communities of Color;
- d. Minimum or low-wage employees displaced by business closures;
- e. Older adults living at or below the federal poverty level;
- f. People who are immunocompromised or medically fragile;
- g. Immigrant and refugee communities;
- h. People with limited English proficiency;
- i. People with disabilities;
- j. People without health insurance;
- k. Victims of domestic violence or child abuse;
- l. Children in need of services; and
- m. Workers without access to paid sick leave; and

(c) A nonprofit that has not already received direct financial assistance, excluding loans, through the federal CARES Act (Pub. L. No. 116-136), the Consolidated Appropriations Act, 2021 (H.R. 133), or any subsequent federal relief package enacted prior to the nonprofit’s grant application being considered shall be given preference.

➔Section 7. 2022 Kentucky Acts Chapter 199, Part I, Operating Budget, L. Tourism, Arts and Heritage Cabinet, 10. Heritage Council, (2) American Battlefield Trust, at page 1706, is amended to read as follows:

(2) **American Battlefield Trust:** Included in the above General Fund appropriation is \$3,300,000 in fiscal year 2022-2023 to provide matching funds for the American Battlefield Trust. *Notwithstanding KRS 45.229, any portion of these funds that have not been expended by the end of fiscal year 2022-2023 shall not lapse and shall carry forward into fiscal year 2023-2024.*

➔Section 8. 2022 Kentucky Acts Chapter 199, Part II, Capital Projects Budget, I. Postsecondary Education, 11. Western Kentucky University, 002. Construct New Gordon Ford College of Business, at page 1744, is amended to read as follows:

002. Construct New Gordon Ford College of Business

Bond Funds	-0-	-0-	74,400,000
<i>Agency Bonds</i>	<i>-0-</i>	<i>-0-</i>	<i>25,000,000</i>
TOTAL	-0-	-0-	99,400,000

➔Section 9. 2022 Kentucky Acts Chapter 214, Part I, Operating Budget, A. Transportation Cabinet, 1. General Administration and Support, at pages 2016 to 2017, is amended to read as follows:

1. GENERAL ADMINISTRATION AND SUPPORT

	2021-22	2022-23	2023-24
General Fund	-0-	<i>500,000</i> [17,864,000]	500,000
Restricted Funds	31,400	2,743,400	2,752,300
Federal Funds	-0-	69,456,000	-0-
Road Fund	1,088,200	1,374,000	81,626,400
TOTAL	1,119,600	<i>154,073,400</i> [171,437,400]	84,878,700

(1) **Biennial Highway Construction Plan:** The Secretary of the Transportation Cabinet shall produce a single document that shall detail the enacted fiscal biennium 2022-2024 Biennial Highway Construction Program and the 2024-2028 Highway Preconstruction Program.

(2) **Debt Service:** Included in the above Road Fund appropriation is \$343,800 in fiscal year 2022-2023 and \$345,000 in fiscal year 2023-2024 for debt service on previously authorized bonds.

(3) **Adopt-A-Highway Litter Program:** The Transportation Cabinet and the Energy and Environment Cabinet may receive, accept, and solicit grants, contributions of money, property, labor, or other things of value from any governmental agency, individual, nonprofit organization, or private business to be used for the Adopt-a-Highway Litter Program or other statewide litter programs. Any contribution of this nature shall be deemed to be a contribution to a state agency for a public purpose and shall be treated as Restricted Funds under KRS Chapter 45 and reported according to KRS Chapter 48, and shall not be subject to restrictions set forth under KRS Chapter 11A.

(4) **Riverport Improvements:** Included in the above General Fund appropriation is \$500,000 in each fiscal year to improve public riverports within Kentucky. The Secretary of the Transportation Cabinet, in conjunction with the Kentucky Water Transportation Advisory Board, shall determine how the funds are distributed.

(5) **Electric Vehicle Charging Program:** Included in the above *Federal Funds appropriation* is ~~appropriations are \$17,364,000 in General Fund and \$69,456,000 in Federal Funds~~ in fiscal year 2022-2023 for the Electric Vehicle Charging Program in the Infrastructure Investment and Jobs Act. ~~Notwithstanding KRS 45.229, these funds shall not lapse and shall carry forward.~~ The Transportation Cabinet shall submit an Electric Vehicle Infrastructure Development Plan to the Interim Joint Committee on Transportation on or before June 30, 2022.

➔Section 10. 2022 Kentucky Acts Chapter 239, Section 13, at page 2408, is amended to read as follows:

There is hereby appropriated Federal Funds from the State Fiscal Recovery Fund from the American Rescue Plan Act of 2021 in the amount of \$1,500,000 in fiscal ~~year~~~~years~~ 2022-2023 ~~and 2023-2024~~ to the Learning and Results Services budget unit to enrich science curriculums. ***There is hereby appropriated Federal Funds from the State Fiscal Recovery Fund from the American Rescue Plan Act of 2021 in the amount of \$1,500,000 in fiscal year 2023-2024 to the Learning and Results Services budget unit for a chemistry and physical science 3D game-based learning platform for middle school and high school students that aligns to Kentucky's science academic standards, connects the standards to real world technologies and applications, and highlights STEM and CTE career pathways in Kentucky to increase students' interest in pursuing a chemistry-related career.***

➔Section 11. There is hereby appropriated Restricted Funds in the amount of \$325,000 in fiscal year 2023-2024 to the Hairdressers and Cosmetologists budget unit as a one-time allocation for an information technology project.

➔Section 12. There is hereby appropriated \$63,663,100 in Restricted Funds and \$254,652,500 in Federal Funds in fiscal year 2022-2023 and \$322,499,200 in Restricted Funds and \$1,143,406,400 in Federal Funds in fiscal year 2023-2024 to the Medicaid Benefits budget unit to provide Medicaid reimbursement of outpatient hospital services under the Hospital Rate Improvement Program.

➔Section 13. Notwithstanding KRS 39A.303(1), there is hereby transferred Restricted Funds from the East Kentucky State Aid Funding for Emergencies (EKSAFE) Fund in the amount of \$10,000,000 in fiscal year 2023-2024 to the Rural Housing Trust Fund. These funds are hereby appropriated and shall be used to provide loans or grants for eligible activities, including but not limited to acquisition, construction, or rehabilitation of rural housing units to those located in the areas named in the Presidential Declaration of a Major Disaster, designated FEMA-4663-DR-KY, in the eastern Kentucky region to recover from the devastation caused by the storms and flooding.

➔Section 14. Notwithstanding KRS 39A.305(1), there is hereby transferred Restricted Funds from the West Kentucky State Aid Funding for Emergencies (WKSAFE) Fund in the amount of \$10,000,000 in fiscal year 2023-2024 to the Rural Housing Trust Fund. These funds are hereby appropriated and shall be used to provide loans or grants for eligible activities, including but not limited to acquisition, construction, or rehabilitation of rural housing units to those located in the areas named in the Presidential Declaration of a Major Disaster, designated FEMA-4630-DR-KY, in the western Kentucky region to recover from the devastation caused by the storms and tornadoes.

➔Section 15. Notwithstanding KRS 304.2-300 and 304.2-400, there is hereby transferred Restricted Funds in the amount of \$1,300,000 in fiscal year 2023-2024 to the Self-Insurance Fund (KRS 342.920) to support making payments to eligible workers' compensation claimants. Notwithstanding KRS 342.920, these funds shall be disbursed to the Kentucky Group Self-Insurance Guaranty Fund to make payments in fiscal year 2023-2024 to workers' compensation claimants injured after March 1, 1997, when the security of a former self-insured group has been depleted. Notwithstanding 342.908(4), no assessments from the members of the Kentucky Group Self-Insurance Guaranty Fund shall exceed an amount in excess of \$5,000,000 at any given time. Notwithstanding KRS 342.908(4) and (5), the Board of Directors shall raise assessments to a percentage of the premium for each member of the Kentucky Group Self-Insurance Guaranty Fund sufficient to pay outstanding claims.

→Section 16. Whereas the provisions of this Act provide ongoing support for state government agencies and their functions, 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.

Signed by Governor March 28, 2023.