

## CHAPTER 119

( SB 75 )

AN ACT relating to motor vehicle parking authorities.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 67A IS CREATED TO READ AS FOLLOWS:

- (1) *No budget, budget amendment, fee, or rate of the authority shall be effective before the authority submits that budget, budget amendment, fee, or rate to the governing body of the urban-county government as set out in this section.*
- (2) *The authority shall submit its budget, or any budget amendment, to the legislative body of the urban-county government no later than forty-five (45) days prior to the implementation of the budget or the budget amendment. No budget or budget amendment shall be implemented without the approval of the legislative body of the urban-county government.*
- (3)
  - (a) *If the authority proposes the imposition of a new fee or rate or a fee or rate that is higher than a fee or rate in effect at the time, then the authority shall submit the proposed fee or rate to the legislative body of the urban-county government no later than forty-five (45) days prior to the scheduled implementation of that fee or rate.*
  - (b) *The governing body of the urban-county government shall have thirty (30) days from the date of submission to:*
    1. *Approve or fail to act on the proposed fee, in which case the proposed fee or rate may be implemented by the authority;*
    2. *Approve a fee in an amount less than the amount of the proposed fee or rate, in which case the approved fee or rate amount may be implemented by the authority; or*
    3. *Disapprove the entire proposed fee by a majority vote of the governing body, in which case:*
      - a. *If a proposed increase of an existing fee or rate is disapproved, any fee then in existence shall remain unchanged, and the authority shall not seek to increase the fee again for at least one (1) year from the date of the submission of the disapproved fee or rate increase; and*
      - b. *If a proposed initial rate or fee is disapproved, the authority shall not seek to impose the fee or rate again for at least one (1) year from the date of the submission of the disapproved initial rate or fee.*
- (4) *This section shall not be interpreted:*
  - (a) *As transferring any fee or rate-levying authority granted to the authority under any other provision of the Kentucky Revised Statutes to the urban-county government charged with reviewing fee or rates under this section; or*
  - (b) *To grant any fee or rate-levying power on behalf of the authority to the urban-county government reviewing fees or rates proposed by the authority and subject to review under this section.*
- (5) *This section shall apply independently of and in addition to any other statutory requirements and provisions or ordinances of the urban-county government relating to the levying of a fee or rate, or the submission of a budget of the authority, including any rate limits and public hearing requirements. This section shall not be interpreted to circumvent, supplant, or otherwise replace those requirements and provisions.*
- (6) *This section shall not be interpreted as limiting the ability of any urban-county government to impose reporting or submission requirements that are more stringent than those established in this section.*

Became law without Governor's signature March 29, 2023.