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Proposed legislation seeks to protect tow truck operators

by Jordan Hensley - LRC Public Information

FRANKFORT — Nearly a year ago, a vehicle traveling down I-64 in Bath County struck and killed Troy Caldwell, a tow truck operator from Morehead, while he was working.

Now, Rep. Richard White, R-Morehead, and Rep. Patrick Flannery, R-Olive Hill, hope Troy's Law – or Bill Request 33 – will prevent the death of more tow truck operators in the state.

White and Flannery presented the proposed bill for the 2026 legislative session during the Interim Joint Committee on Transportation meeting on Sept. 16.

"This legislation will allow wreckers to operate blue lights while stationary and actively removing a vehicle or debris from the highway," White said. "This is a limited, common-sense step that increases visibility and prompts drivers to slow down and move over."

Blue emergency lights are typically reserved for law enforcement vehicles. White said the bill would not create confusion with law enforcement.

"It is narrowly written to allow blue lights only when the truck is stopped, not while driving or towing," White added.

BR 33 is similar to House Bill 115, which was filed by White, Flannery and several co-sponsors during this year's legislative session. The bill did not advance past the committee assignment phase



Rep. Richard White, R-Morehead, proposed legislation to allow blue lights on tow trucks during the Interim Joint Committee on Transportation meeting on Sept. 16.

of the legislative process.

If passed in 2026, Kentucky would not be the first

state to allow blue lights on tow trucks, White said. Missouri, Oklahoma, Pennsylvania, South Dakota, Texas and others have implemented similar legislation.

"Troy's Law is about saving the lives of our brave tow truck operators," White said. "It is about protecting the men and women who come to our rescue when we need them the most and ensuring that they get to go home safely."

Flannery said BR 33 is about worker safety.

"People in the towing business have a very important job, but often a very dangerous job," Flannery said.

Flannery's constituent, Bubba Johnson, a tow truck company owner and Caldwell's friend, testified alongside the representatives on Tuesday.

Johnson told the committee that Kentucky's law requiring motorists to slow down and move over for emergency vehicles is helpful, but not enough.

"Adding the blue lights to the rear of these tow trucks would give us one more layer of protection," Johnson said.

Rep. Anne Gay Donworth, D-Lexington, asked White and Flannery what the Kentucky State Police's position is on the bill.

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Protect tow truck operators,

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White said that KSP was not in favor of the bill during the 2025 legislative session.

“I think their thinking is it interferes with their usage of their blue lights,” he added.

Sen. Phillip Wheeler, R-Pikeville, asked if the sponsors have considered if other colors of lights, like red, may be used to alert motorists instead of blue to avoid confusion with law enforcement.

Johnson said tow trucks can currently be equipped with red and yellow lights.

Rep. Rachel Roarx, D-Louisville, said the

committee received a letter of opposition prior to the meeting concerning the proposed bill. She said the letter raised the issue of towing fraud and cited concerns that certain tow truck drivers who listen to police scanners and arrive first on the scene may be incorrectly associated with law enforcement.

“Do we know how prevalent that issue is in our state or nationwide?” Roarx asked.

Flannery said he did not find the concerns in the letter to be “persuasive.”

“I’m sure as in any profession there are bad actors and people that do things that they ought not do,” he added. “I don’t really know how putting a different

color of lights on top of a tow truck is going to cause more fraud.”

Rep. David Hale, R-Wellington, said he was a cosponsor of last year’s House Bill 115, and he still supports the legislation. He urged the committee to carefully consider the issue.

“I think it is definitely a life-saving piece of legislation that we need to move forward with,” he said.

The Kentucky General Assembly cannot act on legislation until the 2026 legislative session begins on Jan. 6.

Committee weighs action on illegal machine gun conversion devices

by Jordan Hensley - LRC Public Information

FRANKFORT — A Kentucky lawmaker and other stakeholders are asking the Kentucky General Assembly to consider making a state law that would mirror an existing federal ban on machine gun conversion devices.

House Majority Whip Jason Nemes, R-Middletown, said during the Interim Joint Committee on Judiciary’s meeting on Sept. 18 that he’s planning to file legislation next year. The devices are often known as “auto sears.”

“It does not make anything unlawful that isn’t currently unlawful,” Nemes said. “I cannot possess an auto sear today. It violates federal law. That does not change.”

Machine gun conversion devices are made of metal or plastic and can easily be attached to the back of a pistol to turn a semiautomatic device into a fully automatic weapon, Louisville Metro Police Department Chief Paul Humphrey said. The devices are easily made by 3D printers.

Humphrey said LMPD has seen the device used in crime more frequently in the last few years, with 80 seized in Jefferson County last year.



House Majority Whip Jason Nemes, R-Middletown, asks the Interim Joint Committee on Judiciary to consider passing a state law that mirrors an existing federal ban on machine gun conversion devices.

“We’re not talking about something that helps with accuracy or that helps with self-defense,” he said. “We’re talking about something that actually makes the weapon far less accurate and far more dangerous to everyone around.”

While LMPD does report the use of the devices to the federal Bureau of Alcohol, Tobacco Firearms and Explosives, Humphrey said the agency doesn’t have the manpower to prosecute every reported case.

Since there is no law prohibiting the devices at the state level, Humphrey said local law enforcement and prosecutors cannot fill the gap on their own.

“We understand the impact of the violent crimes that are going on on our streets and in our neighborhoods, and this is exacerbated greatly by this problem,” Humphrey said. “And what (the legislation would do) is it turns the ability for us – the local police officer, the local prosecutors – to be able to take some kind of action on these that we currently cannot take.”

Reviewing a draft of the potential legislation,

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Machine gun conversion devices, from page 2

committee co-chair Rep. Daniel Elliott, R-Danville, asked Nemes if the class C felony charge is in-line with federal law as well.

Nemes said he thinks the proposed penalty is the same as the federal law, noting that class C felonies carry a penalty of five to 10 years.

After asking a few questions about the bill's language and the intent, Rep. T.J. Roberts, R-Burlington, said he has constitutional concerns due to pending litigation in federal court.

Nemes said if a federal court order finds the law to be unconstitutional, it would no longer be enforceable.

"I think they're lawful," Nemes added. "... I think the courts will hold that's a constitutional restriction, and I think we should fall in line."

Roberts said he would prefer the legislature focus on expanding the right to self-defense rather than impose more restrictions.

Rep. John Blanton, R-Salyersville, said he is sup-

portive of the Second Amendment and the proposed legislation. He said the conversion devices also pose a risk to law enforcement.

"You guys in law enforcement have to have some type of protection there," Blanton said. "These are the types of things that people are using more for an offensive stance than defensive stance."

The Kentucky General Assembly cannot act on legislation until the 2026 legislative session begins on Jan. 6.

Lawmakers receive cannabis center update

by Nancy Royden - LRC Public Information

FRANKFORT — Lawmakers on the Interim Joint Committee on Health Services received an update on Sept. 16 from the director of the University of Kentucky Cannabis Center.

In 2022, House Bill 604 established the cannabis center with a \$2 million appropriation for a multitude of projects.

Shanna Babalonis, director of the center in Lexington, testified about some of the projects that staff members have been undertaking. She also offered information about future plans.

Babalonis said the center is conducting, or hoping to conduct, three projects funded through the National Institutes of Health.

One of them – for \$2.8 million – determines how cannabis may alter opioid withdrawal, reward and safety.

"We enrolled patients into the UK hospital and give them cannabis under controlled conditions and look at how cannabis alters that opioid withdrawal profile," she said.

Babalonis said an important goal of the project is to examine safety to learn if cannabis alters opioid-induced respiratory depression.

A second \$2.87 million NIH grant would look at



Sen. Karen Berg, D-Louisville, speaks Sept. 16 during an Interim Joint Committee on Health Services meeting.

how cannabis may alter the drive to take opioids in people with opioid use disorder. Babalonis said a decision on this funding is expected soon.

Babalonis said the center also recruited a new faculty member who brought along a grant with her.

The third NIH grant for \$720,000 determines how repeated cannabidiol (CBD) doses modify tetrahydrocannabinol (THC) abuse potential and pain relief, she said.

The center has two additional grants now under review. One would determine how cannabis with THC and CBD interaction effects change abuse potential and find out if the addition of CBD helps decrease the abuse potential of concentrates or dabs.

The second grant would look at the effects of a minor cannabinoid compound – one that does not get people high – on pain outcomes, anti-nausea and abuse potential, Babalonis said.

Babalonis also discussed a clinical trial on patients with active cancer and several completed projects, which include a trial on the interaction of inhaled cannabis and intranasal opioids, a trial on the impact of cannabis on simulated driving performance, and analytical chemistry projects to test products for cannabinoid content and contamination.

Sen. Karen Berg, D-Louisville, asked Babalonis about overdoses in children.

"Is there any effort going on nationwide to package this less attractively for children, and is there a way to address that," she asked.

Babalonis indicated that nothing substantial is occurring nationwide.

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Medicaid board hears proposal on assisted living waiver

by Nancy Royden - LRC Public Information

FRANKFORT — The state Medicaid Oversight and Advisory Board heard about a proposal on Sept. 9 that would extend coverage to help Kentucky families offset costs of care at assisted living facilities.

Rep. Deanna Gordon, R-Richmond, said she is working on legislation related to that issue in advance of the next legislative session, which begins in January.

"This bill draft would extend Medicaid coverage to assisted living services. For reference, Kentucky is only one of three states that do not offer Medicaid coverage for assisted living services. Right now, Medicaid will only cover the costs of living in a skilled nursing facility," she said.

Gordon said unless a patient has the funds to pay for these services out-of-pocket or a loved one can care for them full-time, a nursing home is often the only option. She also pointed to family members who leave their jobs to care for their loved ones full-time.

"This legislation seeks to close a huge gap in our state's long-term care system by ensuring Medicaid patients have access to assisted living services," she said.

This week marks National Assisted Living Week, and Gordon said that with an aging population and increasing economic pressures on families, Kentucky must offer more affordable alternatives to a nursing home placement. Assisted living facilities help residents with daily living tasks, personal care, medication management and many more while preserving the patients' independence.

"Assisted living is a cost-effective, long-term care model that provides care for patients who do not require full, medicalized, institutional, structured care such as a nursing home," she said.

Currently, the average monthly cost of a private room in a skilled nursing facility is between \$12,000 and \$14,000. By comparison, assisted living services cost an average of around \$3,400 per month, Gordon said.

"By allowing Medicaid to cover assisted living,



Rep. Deanna Gordon, R-Richmond, testifies Sept. 9 during a Medicaid Oversight and Advisory Board meeting

Kentucky could provide the appropriate level of long-term care for patients while easing the strain on the state budget and potentially save hundreds of millions of dollars annually in Medicaid spending," she said.

Sen. Karen Berg, D-Louisville, said the topic of assisted living facilities is interesting and attention on the issue is "extraordinarily needed."

"Right now, we don't have any waivers for assisted living, but we are apparently willing as a state to pay family members to be caregivers for people that otherwise really should be in the assisted living facility. Is that correct and would this have any impact on that," she asked Gordon.

Gordon said she doesn't know if the state needs

to pay family members to be caregivers, but at the same time, it would allow the services to be provided in homes or the most appropriate environment. She said details will continue to be considered before the legislative session begins.

Berg said it's possible that federal dollars could be used instead. She said she knows of people who would do well in assisted living and are being cared for with state dollars by family members who should otherwise be at work.

Board Co-Chair Rep. Ken Fleming, R-Louisville, said a waiver for patient-directed payments exists now.

"We do have that in there, and you have to qualify in order to be in a caregiver if you're associated or if you're a relative or family member of that particular person who needs it. There is something like that, but this could be included in that or surround that to a certain degree," he said.

Rep. Mary Lou Marzian, D-Louisville, asked about in-home care for those who do not have caregivers.

"If someone wanted to stay at their home – a lot of people do – and there are no caregivers, could they just call nursing care to come once a day or a nursing assistant or anything like that," she asked. "Maybe come and maybe make a meal, and they're getting a shower, medications, and that kind of thing."

Gordon said there are different levels of waivers, and her legislation is open-ended now.

"I think the goal is just to allow patients to age in place and to get the most appropriate care without necessarily having to go into a skilled facility if they're not at that point," she said.

Fleming said that Gordon should be mindful of the possible fiscal impact of the legislation, and Gordon said savings aren't always considered.

"We are looking at ways to get some of those metrics, because that's the impact that we're wanting to have," she said.



2025 Kentucky General Assembly

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Cannabis center update, from page 3

“We’re actually putting things out there that look like candy and taste like candy. And for a kid to get their hand in a candy jar. You know, it seems nonsensical to me if we’re going to use this as medicinal, to make it look like candy,” Berg said.

Rep. Rebecca Raymer, R-Morgantown, said there is a difference between natural cannabis and synthetic cannabis. She expressed concern about children who become ill after ingesting substances such as Delta-8.

“I don’t think everybody understands the difference, and I would be interested in getting some more information on the symptoms they were

seeing when these kids came in, if it was just the central nervous system, depression, or if there were other things,” she said. “We know there’s dangers with the solvents that they’re using to extract these higher levels of THC.”

Sen. Donald Douglas, R-Nicholasville, said those at the center have a tough job.

“Your job is to be objective in spite of all the anecdotal beliefs that people have,” he said.

Rep. Lisa Willner, D-Louisville, asked Babalonis about the study of cannabis and PTSD. Willner said the center’s employees have been able to accomplish

many things in a short amount of time.

“I know that there’s not been a lot of study about cannabis and PTSD. But, the National Institutes of Health, the Veterans Administration have both declared it contraindicated for that condition,” Willner said.

Babalonis said patients who are “fragile” should not be administered high doses of THC, and data collected to date are inconclusive and placebo-like. However, she said staff at the center could examine this issue if the legislature requests it.



Committee Meetings

Minutes for Statutory Committees that met recently may be found at the following sites:

Interim Joint Committee on Agriculture:

https://apps.legislature.ky.gov/committees/interim/Ag/minutes_all.html

Interim Joint Committee on Appropriations and Revenue:

https://apps.legislature.ky.gov/committees/interim/A&R/minutes_all.html

Interim Joint Committee on Banking and Insurance:

https://apps.legislature.ky.gov/committees/interim/B&I/minutes_all.html

Interim Joint Committee on Economic Development and Workforce Investment:

https://apps.legislature.ky.gov/committees/interim/EDWI/minutes_all.html

Interim Joint Committee on Education:

https://apps.legislature.ky.gov/committees/interim/Education/minutes_all.html

Interim Joint Committee on Families and Children:

https://apps.legislature.ky.gov/committees/interim/IJCF&C/minutes_all.html

Interim Joint Committee on Health Services:

https://apps.legislature.ky.gov/committees/interim/IJCHS/minutes_all.html

Interim Joint Committee on Judiciary:

https://apps.legislature.ky.gov/committees/interim/Judiciary/minutes_all.html

Interim Joint Committee on Licensing, Occupations, and Administrative Regulations:

https://apps.legislature.ky.gov/committees/interim/LO&AR/minutes_all.html

Interim Joint Committee on Local Government:

https://apps.legislature.ky.gov/committees/interim/Loc_Gov/minutes_all.html

Interim Joint Committee on Natural Resources and Energy:

https://apps.legislature.ky.gov/committees/interim/NR_&_E/minutes_all.html

Interim Joint Committee on State Government:

https://apps.legislature.ky.gov/committees/interim/St_Gov/minutes_all.html

Interim Joint Committee on Tourism, Small Business, and Information Technology:

https://apps.legislature.ky.gov/committees/interim/TSBIT/minutes_all.html

Interim Joint Committee on Transportation:

https://apps.legislature.ky.gov/committees/interim/Trans/minutes_all.html

Interim Joint Committee on Veterans, Military Affairs, and Public Protection:

https://apps.legislature.ky.gov/committees/interim/Vets/minutes_all.html

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2025 Interim

LEGISLATIVE RECORD

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KENTUCKY GENERAL ASSEMBLY

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