

1 AN ACT establishing the Government Nonprofit Contracting Advisory  
2 Commission.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 11 IS CREATED TO  
5 READ AS FOLLOWS:

6 *(1) The Government Nonprofit Contracting Advisory Commission is hereby*  
7 *established to review and provide periodic reports regarding laws, regulations,*  
8 *and policies that negatively affect nonprofit government contracting. The*  
9 *commission shall be attached to the Commission on Small Business Advocacy for*  
10 *administrative purposes.*

11 *(2) The commission shall consist of thirteen (13) members, as follows:*

12 *(a) Secretary of the Finance and Administration Cabinet or designer, who shall*  
13 *serve as chairperson;*

14 *(b) Secretary of the Cabinet for Health and Family Services, or designee;*

15 *(c) Secretary of the Transportation Cabinet, or designee;*

16 *(d) Secretary of the Education and Workforce Cabinet, or designee;*

17 *(e) Executive director of the Kentucky Nonprofit Network, or designee; and*

18 *(f) Eight (8) representatives of 501(c)(3) human services organization,*  
19 *appointed by the Governor from a list of sixteen (16) candidates*  
20 *recommended by the Kentucky Nonprofit Network, who shall serve for a*  
21 *term of four (4) years.*

22 *(3) A quorum shall be a majority of the membership of the commission.*

23 *(4) Members of the commission shall serve without compensation but shall be*  
24 *reimbursed for necessary and actual travel expenses incurred in the discharge of*  
25 *duties on the commission.*

26 *(5) The commission shall meet quarterly and at other times upon the call of the*  
27 *chairperson.*

1       ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 11 IS CREATED TO  
2 READ AS FOLLOWS:

3 (1) The duties of the Government Nonprofit Contracting Advisory Commission shall  
4 consist of reviewing and offering periodic reports concerning:

5 (a) The feasibility of eliminating redundant or unreasonable laws, regulations,  
6 or policies that negatively affect nonprofit government contracting;

7 (b) The effect of state and federal laws and state government policies on  
8 contracting with nonprofit agencies;

9 (c) The best practices adopted by other states which facilitate more timely, cost-  
10 effective, streamlined, and accountable processes for contracting with  
11 nonprofit agencies; and

12 (d) The administrative regulations that may impact nonprofit agencies.

13 (2) The commission may seek input from other agencies, organizations, or interested  
14 parties. In acting as an advocate for nonprofit agencies, the commission may  
15 submit a written report to a promulgating administrative body. The report shall  
16 be considered as comments received during the public comment period required  
17 by KRS 13A.270(1)(c). The report shall specify the commission's findings  
18 regarding the administrative regulation, and a copy of the report shall be filed  
19 with the regulations compiler of the Legislative Research Commission.

20 (3) By September 1 of each year, the commission shall submit a report to the  
21 Governor and to the Legislative Research Commission. The report shall detail its  
22 work in the prior fiscal year. The report shall include but not be limited to  
23 activities and achievements of the commission, findings of the commission  
24 relating to the collection of information and research on public policies and  
25 government practices that affect nonprofit agencies, and specific  
26 recommendations of ways in which state government could better promote the  
27 timely, cost-effective, streamlined, and accountable processes for contracting with

1        *nonprofit agencies.*

2        ➔Section 3. The General Assembly finds that the work of the Government  
3 Nonprofit Contracting Task Force demonstrated the complexity of the processes utilized  
4 by state government to contract with and provide grants to nonprofit agencies, and that  
5 any improvements to those processes requires a focused and sustained effort that can only  
6 be provided by an advisory commission.