

1 AN ACT relating to reorganization.

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

3 ➔Section 1. KRS 12.020 is amended to read as follows:

4 Departments, program cabinets and their departments, and the respective major  
5 administrative bodies that they include are enumerated in this section. It is not intended  
6 that this enumeration of administrative bodies be all-inclusive. Every authority, board,  
7 bureau, interstate compact, commission, committee, conference, council, office, or any  
8 other form of organization shall be included in or attached to the department or program  
9 cabinet in which they are included or to which they are attached by statute or statutorily  
10 authorized executive order; except in the case of the Personnel Board and where the  
11 attached department or administrative body is headed by a constitutionally elected officer,  
12 the attachment shall be solely for the purpose of dissemination of information and  
13 coordination of activities and shall not include any authority over the functions,  
14 personnel, funds, equipment, facilities, or records of the department or administrative  
15 body.

16 I. Cabinet for General Government - Departments headed by elected officers:

- 17 (1) The Governor.
- 18 (2) Lieutenant Governor.
- 19 (3) Department of State.
- 20 (a) Secretary of State.
- 21 (b) Board of Elections.
- 22 (c) Registry of Election Finance.
- 23 (4) Department of Law.
- 24 (a) Attorney General.
- 25 (5) Department of the Treasury.
- 26 (a) Treasurer.
- 27 (6) Department of Agriculture.

- 1 (a) Commissioner of Agriculture.
- 2 (b) Kentucky Council on Agriculture.
- 3 (7) Auditor of Public Accounts.
- 4 II. Program cabinets headed by appointed officers:
- 5 (1) Justice and Public Safety Cabinet:
- 6 (a) Department of Kentucky State Police.
- 7 (b) Department of Criminal Justice Training.
- 8 (c) Department of Corrections.
- 9 (d) Department of Juvenile Justice.
- 10 (e) Office of the Secretary.
- 11 (f) Office of Drug Control Policy.
- 12 (g) Office of Legal Services.
- 13 (h) Office of the Kentucky State Medical Examiner.
- 14 (i) Parole Board.
- 15 (j) Kentucky State Corrections Commission.
- 16 (k) Office of Legislative and Intergovernmental Services.
- 17 (l) Office of Management and Administrative Services.
- 18 (m) Department of Public Advocacy.
- 19 (2) Education and Workforce Development Cabinet:
- 20 (a) Office of the Secretary.
- 21 1. Governor's Scholars Program.
- 22 2. Governor's School for Entrepreneurs Program.
- 23 (b) Office of Legal and Legislative Services.
- 24 1. Client Assistance Program.
- 25 (c) Office of Communication.
- 26 (d) Office of Budget and Administration.
- 27 1. Division of Human Resources.

- 1                   2.    Division of Administrative Services.
- 2                   (e)   Office of Technology Services.
- 3                   (f)   Office of Educational Programs.
- 4                   (g)   Office for Education and Workforce Statistics.
- 5                   (h)   Board of the Kentucky Center for Education and Workforce Statistics.
- 6                   (i)   Board of Directors for the Center for School Safety.
- 7                   (j)   Department of Education.
  - 8                   1.    Kentucky Board of Education.
  - 9                   2.    Kentucky Technical Education Personnel Board.
- 10                  (k)   Department for Libraries and Archives.
- 11                  (l)   Department of Workforce Investment.
  - 12                  1.    Office for the Blind.
  - 13                  2.    Office of Vocational Rehabilitation.
  - 14                  3.    Office of Employment and Training.
    - 15                  a.    Division of Grant Management and Support.
    - 16                  b.    Division of Workforce and Employment Services.
    - 17                  c.    Division of Unemployment Insurance.
- 18                  (m)   Foundation for Workforce Development.
- 19                  (n)   Kentucky Office for the Blind State Rehabilitation Council.
- 20                  (o)   Kentucky Workforce Investment Board.
- 21                  (p)   Statewide Council for Vocational Rehabilitation.
- 22                  (q)   Unemployment Insurance Commission.
- 23                  (r)   Education Professional Standards Board.
  - 24                  1.    Division of Educator Preparation.
  - 25                  2.    Division of Certification.
  - 26                  3.    Division of Professional Learning and Assessment.
  - 27                  4.    Division of Legal Services.

- 1 (s) Kentucky Commission on the Deaf and Hard of Hearing.
- 2 (t) Kentucky Educational Television.
- 3 (u) Kentucky Environmental Education Council.
- 4 (3) Energy and Environment Cabinet:
- 5 (a) Office of the Secretary.
- 6 1. Office of Legislative and Intergovernmental Affairs.
- 7 2. Office of Legal Services.
- 8 a. Legal Division I.
- 9 b. Legal Division II.
- 10 3. Office of Administrative Hearings.
- 11 4. Office of Communication.
- 12 5. Mine Safety Review Commission.
- 13 6. Office of Kentucky Nature Preserves.
- 14 7. Kentucky Public Service Commission.
- 15 (b) Department for Environmental Protection.
- 16 1. Office of the Commissioner.
- 17 2. Division for Air Quality.
- 18 3. Division of Water.
- 19 4. Division of Environmental Program Support.
- 20 5. Division of Waste Management.
- 21 6. Division of Enforcement.
- 22 7. Division of Compliance Assistance.
- 23 (c) Department for Natural Resources.
- 24 1. Office of the Commissioner.
- 25 2. Division of Mine Permits.
- 26 3. Division of Mine Reclamation and Enforcement.
- 27 4. Division of Abandoned Mine Lands.

- 1                   5.    Division of Oil and Gas.
- 2                   6.    Division of Mine Safety.
- 3                   7.    Division of Forestry.
- 4                   8.    Division of Conservation.
- 5                   9.    Office of the Reclamation Guaranty Fund.
- 6                   (d) Office of Energy Policy.
  - 7                   1.    Division of Energy Assistance.
- 8                   (e) Office of Administrative Services.
  - 9                   1.    Division of Human Resources Management.
  - 10                  2.    Division of Financial Management.
  - 11                  3.    Division of Information Services.
- 12                  (4) Public Protection Cabinet.
  - 13                  (a) Office of the Secretary.
    - 14                  1.    Office of Communications and Public Outreach.
    - 15                  2.    Office of Legal Services.
      - 16                  a.    Insurance Legal Division.
      - 17                  b.    Charitable Gaming Legal Division.
      - 18                  c.    Alcoholic Beverage Control Legal Division.
      - 19                  d.    Housing, Buildings and Construction Legal Division.
      - 20                  e.    Financial Institutions Legal Division.
      - 21                  f.    Professional Licensing Legal Division.
    - 22                  3.    Office of Administrative Hearings.
    - 23                  4.    Office of Administrative Services.
      - 24                  a.    Division of Human Resources.
      - 25                  b.    Division of Fiscal Responsibility.
  - 26                  (b) Kentucky Claims Commission.
  - 27                  (c) Kentucky Boxing and Wrestling Commission.

- 1 (d) Kentucky Horse Racing Commission.
- 2 1. Office of Executive Director.
- 3 a. Division of Pari-mutuel Wagering and Compliance.
- 4 b. Division of Stewards.
- 5 c. Division of Licensing.
- 6 d. Division of Enforcement.
- 7 e. Division of Incentives and Development.
- 8 f. Division of Veterinary Services.
- 9 (e) Department of Alcoholic Beverage Control.
- 10 1. Division of Distilled Spirits.
- 11 2. Division of Malt Beverages.
- 12 3. Division of Enforcement.
- 13 (f) Department of Charitable Gaming.
- 14 1. Division of Licensing and Compliance.
- 15 2. Division of Enforcement.
- 16 (g) Department of Financial Institutions.
- 17 1. Division of Depository Institutions.
- 18 2. Division of Non-Depository Institutions.
- 19 3. Division of Securities.
- 20 (h) Department of Housing, Buildings and Construction.
- 21 1. Division of Fire Prevention.
- 22 2. **Division of Fire Protection Personnel Standards and Education.**
- 23 **3.** Division of Plumbing.
- 24 **4.**~~[3.]~~ **Electrical Division.**
- 25 **5.** Division of Heating, Ventilation, and Air Conditioning.
- 26 **6.**~~[4.]~~ Division of Building Code Enforcement.
- 27 (i) Department of Insurance.

- 1                   1.    Division of Insurance Product Regulation.
- 2                   2.    Division of Administrative Services.
- 3                   3.    Division of Financial Standards and Examination.
- 4                   4.    Division of Agent Licensing.
- 5                   5.    Division of Insurance Fraud Investigation.
- 6                   6.    Division of Consumer Protection.
- 7                   7.    Division of Kentucky Access.
- 8                   (j)   Department of Professional Licensing.
- 9                    1.    Real Estate Authority.
- 10                  (5)   Labor Cabinet.
- 11                  (a)   Office of the Secretary.
- 12                   1.    Office of General Counsel.
- 13                    a.    Workplace Standards Legal Division.
- 14                    b.    Workers' Claims Legal Division.
- 15                   2.    Office of Administrative Services.
- 16                    a.    Division of Human Resources Management.
- 17                    b.    Division of Fiscal Management.
- 18                    c.    Division of Professional Development and Organizational
- 19                         Management.
- 20                    d.    Division of Information Technology and Support Services.
- 21                   3.    Office of Inspector General.
- 22                  (b)   Department of Workplace Standards.
- 23                   1.    Division of Apprenticeship.
- 24                   2.    Division of Occupational Safety and Health Compliance.
- 25                   3.    Division of Occupational Safety and Health Education and
- 26                         Training.
- 27                   4.    Division of Wages and Hours.

- 1 (c) Department of Workers' Claims.
- 2 1. Division of Workers' Compensation Funds.
- 3 2. Office of Administrative Law Judges.
- 4 3. Division of Claims Processing.
- 5 4. Division of Security and Compliance.
- 6 5. Division of Information Services.
- 7 6. Division of Specialist and Medical Services.
- 8 7. Workers' Compensation Board.
- 9 (d) Workers' Compensation Funding Commission.
- 10 (e) Occupational Safety and Health Standards Board.
- 11 (f) Apprenticeship and Training Council.
- 12 (g) State Labor Relations Board.
- 13 (h) Employers' Mutual Insurance Authority.
- 14 (i) Kentucky Occupational Safety and Health Review Commission.
- 15 (j) Workers' Compensation Nominating Committee.
- 16 (6) Transportation Cabinet:
- 17 (a) Department of Highways.
- 18 1. Office of Project Development.
- 19 2. Office of Project Delivery and Preservation.
- 20 3. Office of Highway Safety.
- 21 4. Highway District Offices One through Twelve.
- 22 (b) Department of Vehicle Regulation.
- 23 (c) Department of Aviation.
- 24 (d) Department of Rural and Municipal Aid.
- 25 1. Office of Local Programs.
- 26 2. Office of Rural and Secondary Roads.
- 27 (e) Office of the Secretary.



- 1                   1.    Office of Public Affairs.
- 2                   2.    Office for Civil Rights and Small Business Development.
- 3                   3.    Office of Budget and Fiscal Management.
- 4                   4.    Office of Inspector General.
- 5                   (f)   Office of Support Services.
- 6                   (g)   Office of Transportation Delivery.
- 7                   (h)   Office of Audits.
- 8                   (i)   Office of Human Resource Management.
- 9                   (j)   Office of Information Technology.
- 10                  (k)   Office of Legal Services.
- 11                  (7)   Cabinet for Economic Development:
- 12                   (a)   Office of the Secretary.
- 13                   1.    Office of Legal Services.
- 14                   2.    Department for Business Development.
- 15                   3.    Department for Financial Services.
- 16                   a.    Kentucky Economic Development Finance Authority.
- 17                   b.    Finance and Personnel Division.
- 18                   c.    IT and Resource Management Division.
- 19                   d.    Compliance Division.
- 20                   e.    Incentive Administration Division.
- 21                   f.    Bluegrass State Skills Corporation.
- 22                   4.    Office of Marketing and Public Affairs.
- 23                   a.    Communications Division.
- 24                   b.    Graphics Design Division.
- 25                   5.    Office of Workforce, Community Development, and Research.
- 26                   6.    Office of Entrepreneurship.
- 27                   a.    Commission on Small Business Advocacy.

- 1           (8) Cabinet for Health and Family Services:
- 2           (a) Office of the Secretary.
- 3           (b) Office of Health Policy.
- 4           (c) Office of Legal Services.
- 5           (d) Office of Inspector General.
- 6           (e) Office of Communications and Administrative Review.
- 7           (f) Office of the Ombudsman.
- 8           (g) Office of Finance and Budget.
- 9           (h) Office of Human Resource Management.
- 10          (i) Office of Administrative and Technology Services.
- 11          (j) Department for Public Health.
- 12          (k) Department for Medicaid Services.
- 13          (l) Department for Behavioral Health, Developmental and Intellectual
- 14             Disabilities.
- 15          (m) Department for Aging and Independent Living.
- 16          (n) Department for Community Based Services.
- 17          (o) Department for Income Support.
- 18          (p) Department for Family Resource Centers and Volunteer Services.
- 19          (q) Office for Children with Special Health Care Needs.
- 20          (r) Governor's Office of Electronic Health Information.
- 21          (s) Office of Legislative and Regulatory Affairs.
- 22          (9) Finance and Administration Cabinet:
- 23          (a) Office of the Secretary.
- 24          (b) Office of the Inspector General.
- 25          (c) Office of Legislative and Intergovernmental Affairs.
- 26          (d) Office of General Counsel.
- 27          (e) Office of the Controller.

- 1 (f) Office of Administrative Services.
- 2 (g) Office of Policy and Audit.
- 3 (h) Department for Facilities and Support Services.
- 4 (i) Department of Revenue.
- 5 (j) Commonwealth Office of Technology.
- 6 (k) State Property and Buildings Commission.
- 7 (l) Office of Equal Employment Opportunity and Contract Compliance.
- 8 (m) Kentucky Employees Retirement Systems.
- 9 (n) Commonwealth Credit Union.
- 10 (o) State Investment Commission.
- 11 (p) Kentucky Housing Corporation.
- 12 (q) Kentucky Local Correctional Facilities Construction Authority.
- 13 (r) Kentucky Turnpike Authority.
- 14 (s) Historic Properties Advisory Commission.
- 15 (t) Kentucky Tobacco Settlement Trust Corporation.
- 16 (u) Kentucky Higher Education Assistance Authority.
- 17 (v) Kentucky River Authority.
- 18 (w) Kentucky Teachers' Retirement System Board of Trustees.
- 19 (x) Executive Branch Ethics Commission.
- 20 (10) Tourism, Arts and Heritage Cabinet:
  - 21 (a) Kentucky Department of Tourism.
    - 22 1. Division of Tourism Services.
    - 23 2. Division of Marketing and Administration.
    - 24 3. Division of Communications and Promotions.
  - 25 (b) Kentucky Department of Parks.
    - 26 1. Division of Information Technology.
    - 27 2. Division of Human Resources.

- 1                   3.    Division of Financial Operations.
- 2                   4.    Division of Facilities Management.
- 3                   5.    Division of Facilities Maintenance.
- 4                   6.    Division of Customer Services.
- 5                   7.    Division of Recreation.
- 6                   8.    Division of Golf Courses.
- 7                   9.    Division of Food Services.
- 8                   10.   Division of Rangers.
- 9                   11.   Division of Resort Parks.
- 10                  12.   Division of Recreational Parks and Historic Sites.
- 11                  (c)   Department of Fish and Wildlife Resources.
- 12                    1.    Division of Law Enforcement.
- 13                    2.    Division of Administrative Services.
- 14                    3.    Division of Engineering, Infrastructure, and Technology.
- 15                    4.    Division of Fisheries.
- 16                    5.    Division of Information and Education.
- 17                    6.    Division of Wildlife.
- 18                    7.    Division of Marketing.
- 19                  (d)   Kentucky Horse Park.
- 20                    1.    Division of Support Services.
- 21                    2.    Division of Buildings and Grounds.
- 22                    3.    Division of Operational Services.
- 23                  (e)   Kentucky State Fair Board.
- 24                    1.    Office of Administrative and Information Technology Services.
- 25                    2.    Office of Human Resources and Access Control.
- 26                    3.    Division of Expositions.
- 27                    4.    Division of Kentucky Exposition Center Operations.

- 1                   5.    Division of Kentucky International Convention Center.
- 2                   6.    Division of Public Relations and Media.
- 3                   7.    Division of Venue Services.
- 4                   8.    Division of Personnel Management and Staff Development.
- 5                   9.    Division of Sales.
- 6                   10.   Division of Security and Traffic Control.
- 7                   11.   Division of Information Technology.
- 8                   12.   Division of the Louisville Arena.
- 9                   13.   Division of Fiscal and Contract Management.
- 10                  14.   Division of Access Control.
- 11                  (f)   Office of the Secretary.
  - 12                   1.    Office of Finance.
  - 13                   2.    Office of Government Relations and Administration.
  - 14                   3.    Office of Film and Tourism Development.
- 15                  (g)   Office of Legal Affairs.
- 16                  (h)   Office of Human Resources.
- 17                  (i)   Office of Public Affairs and Constituent Services.
- 18                  (j)   Office of Arts and Cultural Heritage.
- 19                  (k)   Kentucky African-American Heritage Commission.
- 20                  (l)   Kentucky Foundation for the Arts.
- 21                  (m)   Kentucky Humanities Council.
- 22                  (n)   Kentucky Heritage Council.
- 23                  (o)   Kentucky Arts Council.
- 24                  (p)   Kentucky Historical Society.
  - 25                   1.    Division of Museums.
  - 26                   2.    Division of Oral History and Educational Outreach.
  - 27                   3.    Division of Research and Publications.

- 1                   4.    Division of Administration.
- 2                   (q)  Kentucky Center for the Arts.
- 3                   1.    Division of Governor's School for the Arts.
- 4                   (r)  Kentucky Artisans Center at Berea.
- 5                   (s)  Northern Kentucky Convention Center.
- 6                   (t)  Eastern Kentucky Exposition Center.
- 7           (11) Personnel Cabinet:
- 8                   (a)  Office of the Secretary.
- 9                   (b)  Department of Human Resources Administration.
- 10                  (c)  Office of Employee Relations.
- 11                  (d)  Kentucky Public Employees Deferred Compensation Authority.
- 12                  (e)  Office of Administrative Services.
- 13                  (f)  Office of Legal Services.
- 14                  (g)  Governmental Services Center.
- 15                  (h)  Department of Employee Insurance.
- 16                  (i)  Office of Diversity, Equality, and Training.
- 17                  (j)  Office of Public Affairs.
- 18    III.  Other departments headed by appointed officers:
- 19                  (1)  Council on Postsecondary Education.
- 20                  (2)  Department of Military Affairs.
- 21                  (3)  Department for Local Government.
- 22                  (4)  Kentucky Commission on Human Rights.
- 23                  (5)  Kentucky Commission on Women.
- 24                  (6)  Department of Veterans' Affairs.
- 25                  (7)  Kentucky Commission on Military Affairs.
- 26                  (8)  Office of Minority Empowerment.
- 27                  (9)  Governor's Council on Wellness and Physical Activity.

1 (10) Kentucky Communications Network Authority.

2 ➔Section 2. KRS 61.315 is amended to read as follows:

3 (1) As used in this section:

4 (a) "Police officer" means every paid police officer, sheriff, or deputy sheriff,  
5 corrections employee with the power of a peace officer pursuant to KRS  
6 196.037, any metropolitan or urban-county correctional officer with the power  
7 of a peace officer pursuant to KRS 446.010, any jailer or deputy jailer, any  
8 auxiliary police officer appointed pursuant to KRS 95.445, any police officer  
9 of a public institution of postsecondary education appointed pursuant to KRS  
10 164.950, or any citation or safety officer appointed pursuant to KRS 83A.087  
11 and 83A.088, elected to office, or employed by any county, airport board  
12 created pursuant to KRS Chapter 183, city, or by the state;

13 (b) "Firefighter" means every paid firefighter or volunteer firefighter who is  
14 employed by or volunteers his or her services to the state, airport board  
15 created pursuant to KRS Chapter 183, any county, city, fire district, or any  
16 other organized fire department recognized, pursuant to KRS 95A.262, as a  
17 fire department operated and maintained on a nonprofit basis in the interest of  
18 the health and safety of the inhabitants of the Commonwealth and shall  
19 include qualified civilian firefighters employed at Kentucky-based military  
20 installations; and

21 (c) "Emergency medical services personnel" means any paid or volunteer  
22 emergency medical services personnel who is certified or licensed pursuant to  
23 KRS Chapter 311A and who is employed directly by, or volunteering directly  
24 for, any:

- 25 1. County;
- 26 2. City;
- 27 3. Fire protection district created under KRS 75.010 to 75.260; or

- 1           4.   Emergency ambulance service district created under KRS 108.080 to  
2                   108.180;  
3                   to provide emergency medical services.
- 4   (2)   The spouse of any police officer, sheriff, deputy sheriff, corrections employee with  
5           the power of a peace officer pursuant to KRS 196.037, any metropolitan or urban-  
6           county correctional officer with the power of a peace officer pursuant to KRS  
7           446.010, any jailer or deputy jailer, any auxiliary police officer appointed pursuant  
8           to KRS 95.445, any police officer of a public institution of postsecondary education  
9           appointed pursuant to KRS 164.950, or any citation or safety officer appointed  
10          pursuant to KRS 83A.087 and 83A.088, firefighter, or member of the Kentucky  
11          National Guard on state active duty pursuant to KRS 38.030, or a member of a state  
12          National Guard or a Reserve component on federal active duty under Title 10 or 32  
13          of the United States Code who names Kentucky as home of record for military  
14          purposes, whose death occurs on or after July 1, 2002, as a direct result of an act in  
15          the line of duty shall receive a lump-sum payment of eighty thousand dollars  
16          (\$80,000) if there are no surviving children, which sum shall be paid by the State  
17          Treasurer from the general fund of the State Treasury. The spouse of any emergency  
18          medical services personnel whose death occurs on or after November 1, 2015, as a  
19          direct result of an act in the line of duty shall receive a lump-sum payment of eighty  
20          thousand dollars (\$80,000) if there are no surviving children, which sum shall be  
21          paid by the State Treasurer from the general fund of the State Treasury. If there are  
22          surviving children and a surviving spouse, the payment shall be apportioned equally  
23          among the surviving children and the spouse. If there is no surviving spouse, the  
24          payment shall be made to the surviving children, eighteen (18) or more years of age.  
25          For surviving children less than eighteen (18) years of age, the State Treasurer shall:  
26          (a)   Pay thirty-five thousand dollars (\$35,000) to the surviving children; and  
27          (b)   Hold forty-five thousand dollars (\$45,000) in trust divided into equal accounts



1 at appropriate interest rates for each surviving child until the child reaches the  
2 age of eighteen (18) years.

3 If a child dies before reaching the age of eighteen (18) years, his or her account shall  
4 be paid to his or her estate. If there are no surviving children, the payment shall be  
5 made to any parents of the deceased.

6 (3) The Commissioner of the Department of Housing, Buildings and Construction,  
7 with advice and consultation from the Commission on Fire Protection Personnel  
8 Standards and Education shall be authorized to promulgate administrative  
9 regulations establishing criteria and procedures applicable to the administration of  
10 this section as it pertains to both paid and volunteer firefighters, including but not  
11 limited to defining when a firefighter has died in line of duty. Administrative  
12 hearings promulgated by administrative regulation under authority of this  
13 subsection shall be conducted in accordance with KRS Chapter 13B.

14 (4) The Justice and Public Safety Cabinet may promulgate administrative regulations  
15 establishing criteria and procedures applicable to the administration of this section  
16 as it pertains to police officers, any metropolitan or urban-county correctional  
17 officers with the power of a peace officer pursuant to KRS 446.010, or any jailers or  
18 deputy jailers, including but not limited to defining when one has died in line of  
19 duty. Administrative hearings promulgated by administrative regulation under  
20 authority of this subsection shall be conducted in accordance with KRS Chapter  
21 13B.

22 (5) The Department of Corrections shall promulgate administrative regulations  
23 establishing the criteria and procedures applicable to the administration of this  
24 section as it pertains to correctional employees, including but not limited to defining  
25 which employees qualify for coverage and which circumstances constitute death in  
26 the line of duty.

27 (6) The Kentucky Board of Emergency Medical Services shall promulgate

1 administrative regulations establishing the criteria and procedures applicable to the  
2 administration of this section as it pertains to emergency medical services  
3 personnel, including but not limited to which employees or volunteers qualify for  
4 coverage and which circumstances constitute death in the line of duty.

5 (7) The Department of Military Affairs shall promulgate administrative regulations  
6 establishing the criteria and procedures applicable to the administration of this  
7 section as it pertains to National Guard or Reserve component members, including  
8 but not limited to defining which National Guard or Reserve component members  
9 qualify for coverage and which circumstances constitute death in the line of duty.

10 (8) The estate of anyone whose spouse or surviving children would be eligible for  
11 benefits under subsection (2) of this section, and the estate of any regular member  
12 of the United States Armed Forces who names Kentucky as home of record for  
13 military purposes whose death occurs as a direct result of an act in the line of duty,  
14 shall be exempt from all probate fees, including but not limited to those established  
15 by the Supreme Court of Kentucky pursuant to KRS 23A.200 and 24A.170, or  
16 imposed under KRS 24A.185, 64.012, and 172.180.

17 (9) The benefits payable under this section shall be in addition to any benefits now or  
18 hereafter prescribed under any police, sheriff, firefighter's, volunteer firefighter's,  
19 emergency medical services personnel, or National Guard or Reserve retirement or  
20 benefit fund established by the federal government or by any state, county, or any  
21 municipality.

22 (10) Any funds appropriated for the purpose of paying the death benefits described in  
23 subsection (2) of this section shall be allotted to a self-insuring account. These  
24 funds shall not be used for the purpose of purchasing insurance.

25 (11) (a) For the purposes of this section, if a firefighter dies as a result of cancer, the  
26 death shall be a direct result of an act in the line of duty if the firefighter:

27 1. Was a firefighter for at least five (5) consecutive years;

- 1           2.    Developed one (1) or more of the cancers listed in paragraph (b) of this  
2                    subsection which caused the firefighter's death within ten (10) years of  
3                    separation from service as a firefighter;
- 4           3.    Did not use tobacco products for a period of ten (10) years prior to the  
5                    diagnosis of cancer;
- 6           4.    Was under the age of sixty-five (65) at the time of death;
- 7           5.    Was not diagnosed with any cancer prior to employment as a firefighter;
- 8                    and
- 9           6.    Was exposed while in the course of firefighting to a known carcinogen  
10                   as defined by the International Agency for Research on Cancer or the  
11                   National Toxicology Program, and the carcinogen is reasonably  
12                   associated with one (1) or more of the cancers listed in paragraph (b) of  
13                   this subsection.

14           (b) This section shall apply to the following cancers:

- 15           1.    Bladder cancer;
- 16           2.    Brain cancer;
- 17           3.    Colon cancer;
- 18           4.    Non-Hodgkin's lymphoma;
- 19           5.    Kidney cancer;
- 20           6.    Liver cancer;
- 21           7.    Lymphatic or haematopoietic cancer;
- 22           8.    Prostate cancer;
- 23           9.    Testicular cancer;
- 24           10.   Skin cancer;
- 25           11.   Cervical cancer; and
- 26           12.   Breast cancer.

27           (c) 1.    The provisions of this subsection creating an entitlement to the line of

1 duty death benefits shall apply exclusively to this section and shall not  
2 be interpreted or otherwise construed to create either an express or  
3 implied presumption of work-relatedness for any type of claim filed  
4 pursuant to KRS Chapter 342.

5 2. This paragraph is intended to provide clarification regarding the sole and  
6 exclusive application of this subsection to only the benefits available  
7 under this section and shall not be used as a bar or other type of  
8 limitation to impair or alter the rights and ability of a claimant to prove  
9 work-relatedness under KRS Chapter 342 or other laws.

10 ➔Section 3. KRS 75.400 is amended to read as follows:

11 As used in KRS 75.400 to 75.460, unless the context requires otherwise:

12 (1) "Commission" means the Commission on Fire Protection Personnel Standards and  
13 Education, attached to the *Division of Fire Protection Personnel Standards and*  
14 *Education within the Department of Housing, Buildings and*  
15 *Construction*~~[Kentucky Community and Technical College System].~~

16 (2) "Fire department" includes all of the officers, firefighters, and clerical and  
17 maintenance employees, whether paid or volunteer.

18 (3) "Full-time paid firefighter" means an individual who receives a minimum salary of  
19 eight thousand dollars (\$8,000) annually, and who works a minimum of two  
20 thousand and eighty (2,080) hours per year as an employee of a fire department  
21 recognized by the fire commission.

22 (4) "Paid fire department" means a fire department recognized by the commission, of  
23 which at least fifty percent (50%) of its firefighters are full-time paid firefighters.

24 (5) "Volunteer fire department" means a fire department with a minimum of twelve  
25 (12) members and a chief, at least one (1) operational fire apparatus or one (1) on  
26 order, with fewer than fifty percent (50%) of its firefighters being full-time paid  
27 firefighters.

1       ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 95A IS CREATED TO  
2 READ AS FOLLOWS:

3 (1) Upon the effective date of this Act, employees of the Kentucky Community and  
4 Technical College System who are engaged in the full-time provision of  
5 instruction and support services to the mission of the Commission on Fire  
6 Protection Personnel Standards and Education shall be transferred to the  
7 Division of Fire Protection Personnel Standards and Education within the  
8 Department of Housing, Buildings and Construction along with the funding  
9 associated with those employees. The Personnel Cabinet shall assist in  
10 implementing the transfer of employees.

11 (2) Employees transferred pursuant to subsection (1) of this section shall retain the  
12 following:

13 (a) All salaries and leave time balances accumulated as of the transfer date;

14 (b) The date of initial employment with the Kentucky Community and  
15 Technical College System for purposes of determining leave time  
16 accumulation; and

17 (c) The date of initial participation in a state-administered retirement system if  
18 the employee has participated or is participating in the Kentucky Employees  
19 Retirement System or the Kentucky Teacher's Retirement System for the  
20 purpose of calculating retirement benefits. Nothing in this paragraph shall  
21 be construed to provide additional service credit for an employee prior to the  
22 transfer date other than what has already been credited to the appropriate  
23 retirement system, and any months of service accrued while employed by the  
24 Kentucky Community and Technical College System shall not count  
25 towards classified or unclassified service as defined in KRS 18A.005.

26 (3) As of the effective date of this Act, employees transferred pursuant to subsection  
27 (1) of this section shall participate in the Kentucky Employees Retirement System

1 as nonhazardous members pursuant to KRS 61.510 to 61.705.

2 (4) Employees pursuant to subsection (1) of this section shall be eligible to  
 3 participate in the state-sponsored life and health insurance benefits program  
 4 administered by the Personnel Cabinet in accordance with KRS Chapter 18A.  
 5 Employees shall be eligible for coverage under the life and health insurance  
 6 programs upon the effective date of this Act, and shall not be subject to any  
 7 waiting period that may be otherwise applicable to participation in these  
 8 programs.

9 (5) The commissioner of the Department of Housing, Buildings and Construction or  
 10 his or her designee, with advice and consultation from the Commission on Fire  
 11 Protection Personnel Standards and Education, shall exercise all budgetary  
 12 authority and may expend for the purpose of fire safety, fire prevention, or crisis  
 13 response services any funds allocated for or paid into the Commission on Fire  
 14 Protection Personnel Standards and Education, the Firefighters Foundation  
 15 Program Fund pursuant to KRS 95A.240, the Thermal Vision Grant Program,  
 16 and any other fund previously administered by the Kentucky Community and  
 17 Technical College System or the Commission on Fire Protection Personnel  
 18 Standards and Education.

19 (6) In consultation with the Commission on Fire Protection Personnel Standards  
 20 and Education, the commissioner of the Department of Housing, Buildings and  
 21 Construction shall promulgate administrative regulations relating to fire  
 22 protection personnel standards and education.

23 ➔Section 5. KRS 95A.020 is amended to read as follows:

24 (1) There is hereby created the Commission on Fire Protection Personnel Standards and  
 25 Education, hereinafter called "commission," which shall be attached to the Division  
 26 of Fire Protection Personnel Standards and Education within the Department of  
 27 Housing, Buildings and Construction~~[Kentucky Community and Technical~~

1 ~~College System~~].

2 (2) The commission shall be composed of eleven (11)~~seventeen (17)~~ members,  
3 residents of the State of Kentucky, appointed by the Governor. These members  
4 should be persons well qualified by experience or education in the field of fire  
5 protection or related fields.

6 (3) The membership of the commission shall include:

7 (a) One (1)~~Two (2)~~ volunteer firefighter~~firefighters~~, who is neither ~~of which~~  
8 ~~is~~ a fire chief or assistant fire chief;

9 (b) Two (2)~~Three (3)~~ paid firefighters, at least one (1) of whom shall be a full-  
10 time paid county firefighter and none of whom shall be a fire chief or assistant  
11 fire chief;

12 (c) One (1) trustee of a volunteer fire department or fire district who is not a  
13 volunteer firefighter;

14 (d) One (1)~~Two (2)~~ fire chief~~chiefs~~ of a paid fire department~~departments~~;

15 (e) One (1) licensed physician;

16 (f) One (1)~~Two (2)~~ fire chief~~chiefs~~ of a volunteer fire  
17 department~~departments~~;

18 (g) One (1) representative of the Kentucky Industrial Response Committee;

19 (h) One (1) representative of the Division of Emergency Management of the  
20 Department of Military Affairs;

21 (i) One (1) mayor of a Kentucky city or county judge/executive;

22 and

23 (j) ~~One (1) county judge/executive;~~

24 ~~(k) One (1) representative of Kentucky industry or business enterprise; and~~

25 ~~(l) One (1) representative of the general public.~~

26 The ~~chancellor for the Technical Institutions' Branch of the Kentucky Community~~  
27 ~~and Technical College System and the~~ state fire marshal, or his or her

1 designee~~[their designees]~~, shall serve as an ex officio member~~[members]~~ of the  
2 commission. The designee~~[Their designees]~~ shall have full voting rights.  
3 Appointive members shall be appointed for a term of four (4) years. Any member  
4 chosen by the Governor to fill a vacancy created otherwise than by expiration of  
5 term shall be appointed for the unexpired term of the member he is chosen to  
6 succeed.

- 7 (4) The commission shall:
- 8 (a) Meet at least six (6) times per year;
  - 9 (b) Annually elect a chair, vice chair, and secretary in accordance with KRS  
10 95A.030; and
  - 11 (c) Set a schedule of at least six (6) meetings for the next twelve (12) months.
- 12 (5) A member of the commission who misses three (3) regular meetings, without the  
13 approval of the chairman, in one (1) year shall be deemed to have resigned from the  
14 commission and his or her position shall be deemed to be vacant. As used in this  
15 subsection, a "year" begins when the first meeting is missed and ends three hundred  
16 sixty-five (365) days later or when the third meeting is missed, whichever occurs  
17 first. The Governor shall appoint a similarly qualified person to fill the vacancy  
18 within ninety (90) days of the vacancy occurring. The failure of a commission  
19 member to attend a special or emergency meeting shall not result in any penalty. A  
20 person removed under this subsection shall not be reappointed to the commission  
21 for at least ten (10) years after removal.
- 22 (6) Members of the commission shall receive no compensation for their services but  
23 shall be allowed their actual and necessary expenses incurred in the performance of  
24 their functions.
- 25 ~~[(7) Members of the commission appointed pursuant to this section shall first be~~  
26 ~~appointed on July 15, 1980. The terms of members appointed earlier shall terminate~~  
27 ~~on July 15, 1980, but the Governor may reappoint those members who qualify~~



1 ~~under the provisions of this section.]~~

2 ➔Section 6. KRS 95A.040 is amended to read as follows:

- 3 (1) The commission shall make full and complete studies, recommendations and  
4 reports to the Governor~~], the Kentucky Community and Technical College System,]~~  
5 and the Legislature for the purpose of establishing:
- 6 (a) Minimum standards and education of fire protection personnel appointed to  
7 positions in municipal fire departments, who are to be engaged in fire  
8 protection to include fire suppression, fire prevention, arson investigation, and  
9 other allied fields;
- 10 (b) Basic minimum courses of training for fire protection personnel;
- 11 (c) Procedure for the certification of fire protection personnel and the certification  
12 of fire protection instructors. The commission may provide financial support  
13 for certification, and this support may include the cost of training, training  
14 aids, and salaries of instructors; and
- 15 (d) Administrative regulations to require that each volunteer firefighter be able to  
16 read, write and understand the English language, is a person of sobriety and  
17 integrity, is and has been an orderly, law-abiding citizen, is a citizen of the  
18 United States, a permanent resident of the United States, or otherwise lawfully  
19 present in the United States, and has reached the age of eighteen (18).
- 20 (2) (a) The **commissioner of the Department of Housing, Buildings and**  
21 **Construction**~~commission]~~ shall establish by administrative regulation, **with**  
22 **advice and consultation from the commission,** a candidate physical agility  
23 test to be administered to all candidates for professional firefighter positions.  
24 For the provisions of this section, "professional firefighter" shall include any  
25 paid firefighter who is a member of a:
- 26 1. Municipal fire department organized under KRS Chapter 95;  
27 2. Fire protection district organized under KRS Chapter 75;

- 1           3. County fire department created pursuant to KRS Chapter 67;
- 2           4. Fire department under the jurisdiction of a consolidated local government;
- 3           5. Fire department under the jurisdiction of a charter county government;
- 4           6. Fire department under the jurisdiction of an urban-county government;
- 5           7. Fire department under the jurisdiction of a unified local government; or
- 6           8. Fire department created under KRS Chapter 273.
- 7           (b) The candidate physical agility test shall establish uniform standards of the
- 8           physical abilities required for all firefighter candidates. The candidate physical
- 9           agility test shall be required for all firefighter candidates hired on or after
- 10          January 1, 2013.
- 11          (c) *The commissioner of the Department of Housing, Buildings and*
- 12          *Construction, with advice and consultation from*~~[After June 25, 2009,]~~ the
- 13          commissioner, shall establish procedures for individual firefighter candidates to
- 14          voluntarily take the candidate physical agility test. The *commissioner of the*
- 15          *Department of Housing, Buildings and Construction, with advice and*
- 16          *consultation from the* commissioner, shall also establish procedures for fire
- 17          departments listed under paragraph (a) of this subsection to voluntarily require
- 18          firefighter candidates hired by them to have successfully completed the
- 19          candidate physical agility test. The *commissioner of the Department of*
- 20          *Housing, Buildings and Construction shall establish the* procedures
- 21          *required* in this paragraph *by promulgating administrative regulations*
- 22          *pursuant to KRS Chapter 13A*~~[shall be established by administrative~~
- 23          ~~regulation]~~.
- 24          (d) The candidate physical agility test shall be designed to assess a candidate's
- 25          ability to handle the physical demands of fighting fires and shall include
- 26          exercises that simulate the most common tasks involved in fire suppression.
- 27          These exercises shall include but are not limited to stair climb, hose drag,

1 equipment carry, ladder raise and extension, forcible entry, search, rescue,  
2 ceiling breach, and pull.

3 (e) The commissioner of the Department of Housing, Buildings and  
4 Construction, with advice and consultation from the commission, may  
5 establish a fee to be charged to candidates participating in the candidate  
6 physical agility test. The fee shall be no greater than an amount specified by  
7 the commission to cover the costs of implementing and administering the  
8 candidate physical agility test.

9 (f) The commissioner of the Department of Housing, Buildings and  
10 Construction, with advice and consultation from the commission, shall  
11 promulgate administrative regulations, pursuant to KRS Chapter 13A, to  
12 establish and implement the candidate physical agility test and to carry out any  
13 other responsibility assigned by this section. ~~The administrative regulations~~  
14 ~~shall be promulgated no later than October 1, 2009.~~

15 (3) The commissioner of the Department of Housing, Buildings and Construction,  
16 with advice and consultation from the commission, shall have the authority to:

17 (a) Certify fire protection training and education programs as having attained the  
18 minimum required standards suggested by the commission, and provide  
19 financial support for the provision of training, training aids, and salaries of  
20 instructors in order to achieve these minimum standards;

21 (b) Certify instructors as having qualified as fire protection instructors under such  
22 conditions as the commission may prescribe;

23 (c) Direct research in the field of fire protection and accept gifts and grants for  
24 such purposes; and

25 (d) Recommend curricula for advanced courses and seminars in fire science  
26 training in colleges and institutions of higher education.

27 (4) The commissioner of the Department of Housing, Buildings and Construction,

1 with advice and consultation from the commission, shall have authority to receive  
2 and, to the extent required by federal law, to disburse all grants and funds from the  
3 federal government for the purpose of fire protection personnel training and  
4 education. Except as otherwise provided by law, the commissioner of the  
5 Department of Housing, Buildings and Construction, with advice and  
6 consultation from the commission, shall administer all state programs and all state  
7 and federally funded grant programs related to fire protection personnel training and  
8 education.

9 ➔Section 7. KRS 95A.070 is amended to read as follows:

10 (1) If a firefighter as defined in KRS 61.315 is~~[, before, on, or after July 15, 2002,]~~  
11 permanently and totally disabled as defined in KRS 342.0011 as a direct result of  
12 activities in the line of duty, then the firefighter shall be entitled to receive a  
13 monthly payment to be paid by the State Treasurer from the general fund  
14 appropriation to the police and firefighter-life insurance category contained in  
15 miscellaneous appropriations of the state/executive branch budget of:

16 (a) Three hundred dollars (\$300) to help defray the costs of life insurance; and

17 (b) Three hundred dollars (\$300) to help defray the costs of health insurance.

18 (2) In order to receive the monthly payment, the firefighter must present to the  
19 Commission~~[on Fire Protection Personnel Standards and Education]~~:

20 (a) A written statement from the fire chief of the fire department under whose  
21 command the firefighter was at the time of injury stating the fact that the  
22 firefighter was on active duty and on assignment with that fire department  
23 when the injury occurred; and

24 (b) A written statement from at least two (2) licensed and practicing physicians  
25 stating that the member is totally and likely to be permanently disabled as  
26 defined in KRS 342.0011; and

27 (c) Proof, in a form satisfactory to the commission, that the firefighter has either

1 or both active life and health insurance policies.

2 (3) (a) If a firefighter, either through a settlement of any kind or through any other  
3 source, has life insurance provided at no cost, then the firefighter shall not be  
4 eligible to receive the life insurance payment described in subsection (1)(a) of  
5 this section. If a firefighter receives partial payment of life insurance, and the  
6 portion of the payment that the firefighter is responsible for is less than the  
7 amount stated in subsection (1) of this section, then the firefighter shall only  
8 receive that portion of the payment to pay for the cost of the insurance.

9 (b) If a firefighter, either through a settlement of any kind or through any other  
10 source, has health insurance provided at no cost, then the firefighter shall not  
11 be eligible to receive the health insurance payment described in subsection  
12 (1)(b) of this section. If a firefighter receives partial payment of health  
13 insurance, and the portion of the payment that the firefighter is responsible for  
14 is less than the amount stated in subsection (1) of this section, then the  
15 firefighter shall only receive that portion of the payment to pay for the cost of  
16 the insurance.

17 (4) If the firefighter should no longer be considered permanently and totally disabled as  
18 defined in KRS 342.0011, or if either or both life and health insurance policies are  
19 terminated, then the firefighter shall within thirty (30) days of that determination  
20 notify the Commission~~[on Fire Protection Personnel Standards and Education]~~, in  
21 writing, of that fact or facts. The **commissioner of the Department of Housing,**  
22 **Buildings and Construction, with advice and consultation from the**~~[commission]~~  
23 shall then terminate the appropriate subsequent payments to that firefighter. A  
24 firefighter may continue to receive payments for one (1) type of insurance as long as  
25 the firefighter is still permanently and totally disabled and the insurance policy is  
26 active. If the firefighter fails to notify the commission within thirty (30) days and  
27 receives subsequent payments under this section, the firefighter shall be responsible

1 for repaying any payments provided to the firefighter under this section from the  
2 date that the firefighter was no longer considered permanently and totally disabled.

3 (5) The **commissioner of the Department of Housing, Buildings and Construction,**  
4 **with advice and consultation from the commission,**~~Commission on Fire~~  
5 ~~Protection Personnel Standards and Education~~ shall promulgate administrative  
6 regulations in accordance with the provisions of KRS Chapter 13A establishing  
7 procedures and criteria applicable to the administration of this section ~~by~~  
8 ~~December 31, 2002~~.

9 (6) Any firefighter convicted of knowingly providing false information to receive the  
10 benefits in subsection (1) of this section shall be guilty of a Class D felony and shall  
11 be responsible for repaying the total amount paid to the firefighter, plus interest,  
12 under the provisions of this section within a time to be determined by the  
13 commission. The firefighter shall also no longer be eligible to receive any payments  
14 provided under this section.

15 (7) In the event sufficient funds do not exist to cover all the financial obligations of this  
16 section, then the payments shall be prorated among the participants evenly.

17 ➔Section 8. KRS 95A.240 is amended to read as follows:

18 (1) The **commissioner of the Department of Housing, Buildings and Construction,**  
19 **with advice and consultation from the** commission, shall administer the fund  
20 pursuant to the provisions of KRS 95A.200 to 95A.300 and may issue such  
21 reasonable rules and regulations as, in **his or her**~~its~~ discretion, will facilitate the  
22 administration of the fund and further the purposes of KRS 95A.200 to 95A.300.

23 (2) The **commissioner of the Department of Housing, Buildings and Construction,**  
24 **with advice and consultation from the** commission, shall determine which local  
25 governments are eligible to share in the fund and **the commissioner** may withhold  
26 or terminate payments to any local government that does not comply with the  
27 requirements of KRS 95A.200 to 95A.300 or the rules and regulations issued ~~by~~

1 ~~the commission]~~ thereunder.

2 (3) ~~[The commission shall, from the moneys appropriated to and accruing to the fund~~  
3 ~~from any source, reimburse the Kentucky Community and Technical College~~  
4 ~~System for salaries and other costs of administering the fund, including, but not~~  
5 ~~limited to the costs of commission operations. The amount of reimbursement for~~  
6 ~~any given year shall be determined by the commission and shall not exceed five~~  
7 ~~percent (5%) of the total appropriation to the fund for that year.~~

8 ~~(4) — ]~~The commission or its personnel shall not:

9 (a) Increase the amount of the four hundred (400) hour training requirement  
10 required to be completed by firefighters for basic training as set out in KRS  
11 95A.230(4), except that the commission may certify the basic training  
12 educational programs and schools of a local government conducting its own  
13 basic training courses of a different amount of hours from four hundred (400)  
14 hours that are approved by the commission in accordance with KRS 95A.040;  
15 or

16 (b) Increase the amount of the one hundred (100) hour training requirement  
17 required to be completed for annual in-service training established by KRS  
18 95A.230(5), except that the commission may certify the training and  
19 educational programs of a local government conducting its own annual in-  
20 service training school of a different amount of hours from one hundred (100)  
21 hours that is approved by the commission in accordance with KRS 95A.040.

22 ~~(4)~~~~(5)]~~ The commission shall have the authority to reduce or provide an alternative  
23 procedure to the required four hundred (400) hours of basic training established in  
24 KRS 95A.230(4) as well as the required one hundred (100) hours of required in-  
25 service training also established in KRS 95A.230(5) if the reduction in hours or  
26 alternative procedure is based on a certification or equivalence-based testing  
27 process determined by the commission. The commission shall specifically establish

1 the lower required hours or alternative procedure based on specific standards  
2 through an administrative regulation promulgated in accordance with KRS Chapter  
3 13A as it is authorized to do under KRS 95A.050.

4 ~~(5)~~~~(6)~~ Nothing in this chapter shall be interpreted to authorize the commission or its  
5 personnel to increase the amount of the one hundred fifty (150) hour requirement  
6 required to be completed by firefighters in a volunteer fire department in order for  
7 the department to qualify for volunteer department aid under KRS 95A.262(2). The  
8 commission shall have the authority to reduce or provide an alternative procedure to  
9 achieve the required number of hours if the reduction in hours is based on a  
10 certification or equivalence-based testing process determined by the commission. If  
11 the commission seeks to reduce the hours or provide an alternative procedure to  
12 achieve the required number of hours, it shall specifically establish the lower  
13 required hours or alternative procedure through an administrative regulation  
14 promulgated in accordance with KRS Chapter 13A as it is authorized to do so under  
15 KRS 95A.050.

16 ➔Section 9. KRS 95A.250 is amended to read as follows:

17 (1) (a) An eligible local government shall be entitled to receive an annual supplement  
18 of three thousand dollars (\$3,000) and, beginning July 1, 2018, an annual  
19 supplement of four thousand dollars (\$4,000) for each qualified professional  
20 firefighter it employs, plus an amount equal to the required employer's  
21 contribution on the supplement to the defined benefit pension plan, or to a  
22 plan qualified under Section 401(a) or Section 457 of the Internal Revenue  
23 Code of 1954 as amended.

24 (b) The employer's contribution to any of these plans on the supplement shall not  
25 exceed the required employer's contribution to the County Employees  
26 Retirement System pursuant to KRS Chapter 78 for the hazardous duty  
27 category. The pension contribution on the supplement shall be paid whether



1           the professional firefighter entered the system under hazardous duty coverage  
2           or nonhazardous coverage.

3           (c) The local unit of government shall pay the amount received for retirement  
4           coverage to the appropriate retirement system to cover the required employer  
5           contribution on the supplement.

6           (d) Should the foundation program funds be insufficient to pay employer  
7           contributions to the system, then the total amount available for pension  
8           payments shall be prorated to each eligible government so that each receives  
9           the same percentage of required pension costs attributable to the supplement.

10          (e) 1. In addition to the payments received under paragraphs (a) and (b) of this  
11           subsection, but only if sufficient funds are available to fully reimburse  
12           each eligible local government for the employer contributions to the  
13           pension system, each local government shall receive an administrative  
14           expense reimbursement in an amount equal to seven and sixty-five one-  
15           hundredths percent (7.65%) of the total annual supplement received  
16           greater than three thousand one hundred dollars (\$3,100) for each  
17           qualified professional firefighter it employs, subject to the cap  
18           established by subparagraph 3. of this paragraph.

19          2. The local government may use the moneys received under this paragraph  
20           in any manner it deems necessary to partially cover the costs of  
21           administering the payments received under paragraph (a) of this  
22           subsection.

23          3. The total amount distributed under this paragraph shall not exceed the  
24           total sum of two hundred fifty thousand dollars (\$250,000) for each  
25           fiscal year. If there are insufficient funds to provide for full  
26           reimbursement as provided in subparagraph 1. of this paragraph, then  
27           the amount shall be distributed pro rata to each eligible local

1 government so that each receives the same percentage attributable to its  
2 total receipt of the cash salary supplement.

3 (2) (a) Each qualified professional firefighter, whose local government receives a  
4 supplement pursuant to subsection (1)(a) of this section due to employment of  
5 the firefighter, shall receive distribution of the supplement from that local  
6 government in twelve (12) equal monthly installments with his or her pay for  
7 the last pay period of each month. The monthly distribution shall be calculated  
8 by dividing the supplement amount established in subsection (1)(a) of this  
9 section by twelve (12).

10 (b) The supplement disbursed to a qualified professional firefighter pursuant to  
11 this section shall not be considered "wages" as defined by KRS  
12 337.010(1)(c)1. and shall not be included in the hourly wage rate for  
13 calculation of overtime pursuant to KRS 337.285 for scheduled overtime. The  
14 supplement shall be included in the hourly wage rates for calculation of  
15 overtime for unscheduled overtime pursuant to KRS 337.285.

16 (c) To determine the addition to the hourly wage rate for calculation of overtime  
17 on unscheduled overtime, the annual supplement shall be divided by two  
18 thousand eighty (2,080). The overtime rate for unscheduled overtime shall be  
19 calculated by adding the quotient, which is the amount of the annual  
20 supplement divided by two thousand eighty (2,080), to the hourly wage rate  
21 and multiplying the total by one and one-half (1.5). The enhanced overtime  
22 rate shall be paid only for unscheduled overtime. Scheduled overtime shall be  
23 paid at one and one-half (1.5) times the regular hourly wage rate, excluding  
24 the supplement.

25 (3) (a) The Kentucky Community and Technical College System and the  
26 Department of Housing, Buildings and Construction's Division of Fire  
27 Protection Personnel Standards and Education shall be entitled to receive

1 annually a supplement equal to the amount determined in subsection (1) of  
 2 this section for each Kentucky fire and rescue training coordinator **that they**  
 3 **employ**~~employed by the Kentucky Community and Technical College~~  
 4 ~~System~~ who meets the qualifications for individual firefighters required in  
 5 KRS 95A.230, plus an amount equal to the required employer's contribution  
 6 on the supplement to the defined benefit pension plan.

7 (b) The Department of Military Affairs shall be entitled to receive annually a  
 8 supplement equal to the amount determined in subsection (1) of this section  
 9 for each civilian firefighter employed by the Department of Military Affairs  
 10 who meets the qualifications for individual firefighters required in KRS  
 11 95A.230, plus an amount equal to the required employer's contribution on the  
 12 supplement to the defined benefit pension plan.

13 (c) Each fire and rescue training coordinator employed by the Kentucky  
 14 Community and Technical College System **or the Department of Housing,**  
 15 **Buildings and Construction's Division of Fire Protection Personnel**  
 16 **Standards and Education** and each civilian firefighter employed by the  
 17 Department of Military Affairs, whose employer receives a supplement  
 18 pursuant to this subsection, shall receive distribution from that employer of  
 19 the supplement which his or her qualifications brought to the employer. The  
 20 supplement distributed shall be in addition to his or her regular salary.

21 ➔Section 10. KRS 95A.262 is amended to read as follows:

22 (1) The Commission ~~[on Fire Protection Personnel Standards and Education]~~ shall, in  
 23 cooperation with the Cabinet for Health and Family Services, develop and  
 24 implement a continuing program to inoculate every paid and volunteer firefighter in  
 25 Kentucky against hepatitis B. The program shall be funded from revenues allocated  
 26 to the Firefighters Foundation Program fund pursuant to KRS 136.392 and 42.190.~~f~~  
 27 ~~Any fire department which has inoculated its personnel during the period of July 1,~~

1 1991 to July 14, 1992, shall be reimbursed from these revenues for its costs incurred  
2 up to the amount allowed by the Cabinet for Health and Family Services for  
3 hepatitis B inoculations.]

- 4 (2) (a) Except as provided in subsection (3) of this section, the **commissioner of the**  
5 **Department of Housing, Buildings and Construction or his or her designee,**  
6 **with advice and consultation from the commission,**[Commission on Fire  
7 Protection Personnel Standards and Education] shall allot on an annual basis a  
8 share of the funds accruing to and appropriated for volunteer fire department  
9 aid to volunteer fire departments in cities of all classes, fire protection districts  
10 organized pursuant to KRS Chapter 75, county districts established under  
11 authority of KRS 67.083, and volunteer fire departments created as nonprofit  
12 corporations pursuant to KRS Chapter 273.
- 13 (b) The **commissioner of the Department of Housing, Buildings and**  
14 **Construction or his or her designee**[commission] shall allot eight thousand  
15 two hundred fifty dollars (\$8,250), and beginning on July 1, 2018, the  
16 **commissioner**[commission] shall allot eleven thousand dollars (\$11,000)  
17 annually to each qualifying department.
- 18 (c) Any qualifying department which fails to participate satisfactorily in the  
19 Kentucky fire incident reporting system as described in KRS 304.13-380 shall  
20 forfeit annually five hundred dollars (\$500) of its allotment.
- 21 (d) If two (2) or more qualified volunteer fire departments, as defined in KRS  
22 95A.500 to 95A.560, merge after January 1, 2000, then the allotment shall be  
23 in accordance with the provisions of KRS 95A.500 to 95A.560.
- 24 (e) Administrative regulations for determining qualifications shall be based on the  
25 number of both paid firefighters and volunteer firemen within a volunteer fire  
26 department, the amount of equipment, housing facilities available, and any  
27 other matters or standards that will best effect the purposes of the volunteer

1 fire department aid law. A qualifying department shall:

- 2 1. Include at least twelve (12) firefighters;
- 3 2. Have a chief;
- 4 3. Have at least one (1) operational fire apparatus or one (1) on order; and
- 5 4. Have at least fifty percent (50%) of its firefighters who have completed  
6 at least one-half (1/2) of one hundred fifty (150) training hours, or as  
7 otherwise established by the commission under KRS 95A.240(6),  
8 toward certification within the first six (6) months of the first year of the  
9 department's application for certification, and there shall be a plan to  
10 complete the one hundred fifty (150) training hours, or as otherwise  
11 established by the commission by KRS 95A.240(6), within the second  
12 year.

13 These personnel, equipment, and training requirements shall not be made  
14 more stringent by the promulgation of administrative regulations.

15 (f) No allotment shall exceed the total value of the funds, equipment, lands, and  
16 buildings made available to the local fire units from any source whatever for  
17 the year in which the allotment is made.

18 (g) A portion of the funds provided for above may be used to purchase group or  
19 blanket health insurance and shall be used to purchase workers' compensation  
20 insurance, and the remaining funds shall be distributed as provided in this  
21 section.

22 (3) There shall be allotted two hundred thousand dollars (\$200,000) of the insurance  
23 premium surcharge proceeds accruing to the Firefighters Foundation Program fund  
24 that shall be allocated each fiscal year of the biennium to the firefighters training  
25 center fund, which is hereby created and established, for the purposes of  
26 constructing new or upgrading existing training centers for firefighters. If any  
27 moneys in the training center fund remain uncommitted, unobligated, or

1 unexpended at the close of the first fiscal year of the biennium, then such moneys  
 2 shall be carried forward to the second fiscal year of the biennium, and shall be  
 3 reallocated to and for the use of the training center fund, in addition to the second  
 4 fiscal year's allocation of two hundred thousand dollars (\$200,000). Prior to funding  
 5 any project pursuant to this subsection, a proposed project shall be approved by the  
 6 commissioner of the Department of Housing, Buildings and Construction or his  
 7 or her designee, with advice and consultation from the commission,~~Commission~~  
 8 ~~on Fire Protection Personnel Standards and Education~~ as provided in subsection (4)  
 9 of this section and shall comply with state laws applicable to capital construction  
 10 projects.

11 (4) Applications for funding low-interest loans and firefighters' training centers shall be  
 12 submitted to the Commission ~~on Fire Protection Personnel Standards and~~  
 13 ~~Education~~ for its~~their~~ recommendation to the commissioner of the Department  
 14 of Housing, Buildings and Construction~~, approval, disapproval, or modification~~.  
 15 The commissioner of the Department of Housing, Buildings and Construction,  
 16 with advice and consultation from the commission, shall review applications  
 17 periodically, and shall, subject to funds available, determine~~recommend~~ which  
 18 applications shall be funded and at what levels, together with any terms and  
 19 conditions the commissioner~~commission~~ deems necessary.

20 (5) Any department or entity eligible for and receiving funding pursuant to this section  
 21 shall have a minimum of fifty percent (50%) of its personnel certified as recognized  
 22 by the Commission on Fire Protection Personnel Standards and Education.

23 (6) Upon the written request of any department, the Commission~~on Fire Protection~~  
 24 ~~Personnel Standards and Education~~ shall make available a certified training  
 25 program in a county of which such department is located.

26 (7) ~~The amount of reimbursement for any given year for costs incurred by the~~  
 27 ~~Kentucky Community and Technical College System for administering these funds,~~

1 including but not limited to the expenses and costs of commission operations, shall  
2 be determined by the commission and shall not exceed five percent (5%) of the total  
3 amount of moneys accruing to the Firefighters Foundation Program fund which are  
4 allotted for the purposes specified in this section during any fiscal year.

5 ~~(8)~~—]The **commissioner of the Department of Housing, Buildings and Construction or**  
6 **his or her designee**~~[commission]~~ shall withhold from the general distribution of  
7 funds under subsection (2) of this section an amount which it deems sufficient to  
8 reimburse volunteer fire departments for equipment lost or damaged beyond repair  
9 due to hazardous material incidents.

10 ~~(8)~~~~(9)~~ Moneys withheld pursuant to subsection ~~(7)~~~~(8)~~ of this section shall be  
11 distributed only under the following terms and conditions:

- 12 (a) A volunteer fire department has lost or damaged beyond repair items of  
13 personal protective clothing or equipment due to that equipment having been  
14 lost or damaged as a result of an incident in which a hazardous material (as  
15 defined in any state or federal statute or regulation) was the causative agent of  
16 the loss;
- 17 (b) The volunteer fire department has made application in writing to the  
18 commission for reimbursement in a manner approved by the commission and  
19 the loss and the circumstances thereof have been verified by the commission;
- 20 (c) The loss of or damage to the equipment has not been reimbursed by the person  
21 responsible for the hazardous materials incident or by any other person;
- 22 (d) The **commissioner of the Department of Housing, Buildings and**  
23 **Construction, with advice and consultation from the** commission, has  
24 determined that the volunteer fire department does not have the fiscal  
25 resources to replace the equipment;
- 26 (e) The **commissioner of the Department of Housing, Buildings and**  
27 **Construction, with advice and consultation from the** commission, has

1 determined that the equipment sought to be replaced is immediately necessary  
2 to protect the lives of the volunteer firefighters of the fire department;

3 (f) The fire department has agreed in writing to subrogate all claims for and rights  
4 to reimbursement for the lost or damaged equipment to the Commonwealth to  
5 the extent that the Commonwealth provides reimbursement to the department;  
6 and

7 (g) The department has shown to the satisfaction of the commissioner of the  
8 Department of Housing, Buildings and Construction, with advice and  
9 consultation from the commission<sub>2</sub> that it has made reasonable attempts to  
10 secure reimbursement for its losses from the person responsible for the  
11 hazardous materials incident and has been unsuccessful in the effort.

12 ~~(9)~~~~(10)~~ If a volunteer fire department has met all of the requirements of subsection  
13 ~~(8)~~~~(9)~~ of this section, the commissioner of the Department of Housing,  
14 Buildings and Construction or his or her designee~~commission~~ may authorize a  
15 reimbursement of equipment losses not exceeding ten thousand dollars (\$10,000) or  
16 the actual amount of the loss, whichever is less.

17 ~~(10)~~~~(11)~~ Moneys which have been withheld during any fiscal year which remain  
18 unexpended at the end of the fiscal year shall be distributed in the normal manner  
19 required by subsection (2) of this section during the following fiscal year.

20 ~~(11)~~~~(12)~~ No volunteer fire department may receive funding for equipment losses more  
21 than once during any fiscal year.

22 ~~(12)~~~~(13)~~ The Division of Fire Protection Personnel Standards and  
23 Education~~commission~~ shall make reasonable efforts to secure reimbursement  
24 from the responsible party for any moneys awarded to a fire department pursuant to  
25 this section.

26 ~~(13)~~~~(14)~~ There shall be allotted each year of the 1992-93 biennium one million dollars  
27 (\$1,000,000), and each year of the 1994-95, 1996-97, 1998-99, and 2000-01



1 bienniums one million dollars (\$1,000,000) of the insurance premium surcharge  
2 proceeds accruing to the Firefighters Foundation Program fund for the purpose of  
3 creating a revolving low-interest loan fund, which shall thereafter be self-sufficient  
4 and derive its operating revenues from principal and interest payments. The  
5 commissioner of the Department of Housing, Buildings and Construction or his  
6 or her designee, with advice and consultation from the commission, and in  
7 accordance with the procedures in subsection (4) of this section, may make low-  
8 interest loans, and the interest thereon shall not exceed three percent (3%) annually  
9 or the amount needed to sustain operating expenses of the loan fund, whichever is  
10 less, to volunteer fire departments for the purposes of major equipment purchases  
11 and facility construction. Loans shall be made to departments which achieve the  
12 training standards necessary to qualify for volunteer fire department aid allotted  
13 pursuant to subsection (2) of this section, and which do not have other sources of  
14 funds at rates which are favorable given their financial resources. The proceeds of  
15 loan payments shall be returned to the loan fund for the purpose of providing future  
16 loans. If a department does not make scheduled loan payments, the commissioner  
17 of the Department of Housing, Buildings and Construction or his or her  
18 designee~~commission~~ may withhold any grants payable to the department pursuant  
19 to subsection (2) of this section until the department is current on its payments.  
20 Money in the low-interest loan fund shall be used only for the purposes specified in  
21 this subsection. Any funds remaining in the fund at the end of a fiscal year shall be  
22 carried forward to the next fiscal year for the purposes of the fund.

23 ~~(14)~~~~(15)~~ For fiscal year 2004-2005 and each fiscal year thereafter, there is allotted one  
24 million dollars (\$1,000,000) from the fund established in KRS 95A.220 to be used  
25 by the commission to conduct training-related activities.

26 ~~(15)~~~~(16)~~ If funding is available from the fund established in KRS 95A.220, the  
27 Commission on Fire Protection Personnel Standards and Education may implement

1 the following:

- 2 (a) A program to prepare emergency service personnel for handling potential  
3 man-made and non-man-made threats. The commission shall work in  
4 conjunction with the state fire marshal and other appropriate agencies and  
5 associations to identify and make maps of gas transmission and hazardous  
6 liquids pipelines in the state;
- 7 (b) A program to provide and maintain a mobile test facility in each training  
8 region established by the Commission on Fire Protection Personnel Standards  
9 and Education with equipment to administer Comprehensive Physical  
10 Aptitude Tests (CPAT) to ascertain a firefighter's ability to perform the  
11 physical requirements necessary to be an effective and safe firefighter;
- 12 (c) A program to provide defensive driving training tactics to firefighters. The  
13 commission shall purchase, instruct in the use of, and maintain mobile  
14 equipment in each of the training regions, and fund expenses related to  
15 equipment replacement;
- 16 (d) A program to annually evaluate equipment adequacy and to provide for annual  
17 physical examinations for instructors, adequate protective clothing and  
18 personal equipment to meet NFPA guidelines, and to establish procedures for  
19 replacing this equipment as needed;
- 20 (e) A program to establish a rotational expansion and replacement program for  
21 mobile fleet equipment currently used for training and recertification of fire  
22 departments;
- 23 (f) A program to expand and update current EMS, first responder, EMT, and  
24 paramedic training and certification instruction; and
- 25 (g) A program to purchase thermal vision devices to comply with the provisions  
26 of KRS 95A.400 to 95A.440.

27 ➔Section 11. KRS 95A.265 is amended to read as follows:

1 (1) There is hereby created a safety education fund to be administered by the  
 2 commissioner of the Department of Housing, Buildings and Construction or his  
 3 or her designee, with advice and consultation from the commission,~~[Commission~~  
 4 ~~on Fire Protection Personnel Standards and Education]~~ to initiate education  
 5 programs in the public schools and other agencies to reduce and prevent injuries and  
 6 the loss of life. The fund shall:

- 7 (a) Provide funding for a statewide "Risk Watch" program to be implemented in  
 8 the public schools;
- 9 (b) Provide funding for statewide fire safety initiatives and programs including  
 10 the "Learn Not to Burn" program; and
- 11 (c) Allot grants to fire departments to provide resources for public education  
 12 programs.

13 (2) The commissioner of the Department of Housing, Buildings and Construction,  
 14 with advice and consultation from the commission, shall promulgate  
 15 administrative regulations to establish the criteria for providing funds to initiate  
 16 injury prevention curricula and training programs throughout the state. The funding  
 17 criteria shall include requirements that the recipients of funds work in cooperation  
 18 with other agencies to establish the programs.

19 ➔Section 12. KRS 95A.270 is amended to read as follows:

20 The Finance and Administration Cabinet, on the certification of the commissioner of the  
 21 Department of Housing, Buildings and Construction or his or her designee~~[~~  
 22 ~~commission]~~, shall draw warrants as specified on the State Treasurer for the amount of  
 23 the fund due each eligible local government~~[ or the Kentucky Community and Technical~~  
 24 ~~College System]~~. Checks shall be issued by the State Treasurer and transmitted to the  
 25 commissioner of the Department of Housing, Buildings and Construction or his or her  
 26 designee~~[commission]~~ for distribution to the proper officials of participating local  
 27 governments which have complied with the provisions of KRS 95A.200 to 95A.300.

1 Beginning January 1, 1981, and on the first day of each month thereafter, the share of  
2 each eligible local unit shall be distributed from the fund.

3 ➔Section 13. KRS 95A.280 is amended to read as follows:

4 Each eligible local government~~[, the Kentucky Community and Technical College~~  
5 ~~System,]~~ and the Department of Military Affairs shall submit reports to the **commissioner**  
6 **of the Department of Housing, Buildings and Construction**~~[commission]~~ on fire  
7 protection on June 30, September 30, December 31, and March 31 of each year  
8 containing information relative to number, rank, education, training and compensation of  
9 firefighters and fire and rescue training coordinators in their jurisdictions and the  
10 disposition made of any state or other funds received pursuant to KRS 95A.200 to  
11 95A.300.

12 ➔Section 14. KRS 95A.290 is amended to read as follows:

13 (1) If funds appropriated by the General Assembly and otherwise made available to the  
14 fund are insufficient to provide the amount of money required by KRS 95A.250, the  
15 **commissioner of the Department of Housing, Buildings and Construction or his**  
16 **or her designee**~~[commission]~~ shall make a uniform percentage reduction in the  
17 allotment of funds available.

18 (2) ~~[The provisions of subsection (1) of this section shall not apply to amounts due the~~  
19 ~~Kentucky Community and Technical College System pursuant to KRS 95A.240.~~

20 (3) ~~]~~Funds appropriated by the General Assembly and unexpended by the  
21 **commissioner of the Department of Housing, Buildings and Construction for the**  
22 commission at the close of the fiscal year for which the funds were appropriated and  
23 otherwise made available to this fund pursuant to KRS 42.190, 95A.220 and  
24 136.392 shall not lapse as provided by KRS 45.229, but shall be carried forward  
25 into the following fiscal year~~[, and shall be used solely for the purposes specified in~~  
26 ~~KRS 95A.200 to 95A.300].~~

27 ➔Section 15. KRS 95A.410 is amended to read as follows:

1 The *commissioner of the Department of Housing, Buildings and Construction, with*  
2 *advice and consultation from the* commission, shall have overall responsibility for  
3 policy, guidance, administration, implementation, and proper utilization of the thermal  
4 vision grant program. The *commissioner of the Department of Housing, Buildings and*  
5 *Construction, with advice and consultation from the* commission, ~~[with the advice of~~  
6 ~~the advisory committee,]~~ shall make determinations relating to thermal vision grant  
7 program applications and releasing equipment to fire departments.

8 →Section 16. KRS 95A.440 is amended to read as follows:

9 All fire departments formed under KRS Chapter 65, 75, 95, or 273 shall be eligible to  
10 receive grants through the thermal vision grant program. These fire departments may  
11 make application for a grant to purchase thermal vision devices through the thermal  
12 vision grant program to the commission. The application shall be made on forms  
13 provided by the commission. A fire department that receives a grant through the thermal  
14 vision grant program shall not make another application to the commission for a grant for  
15 a period of two (2) years. Fire departments receiving grants for the purchase of thermal  
16 vision devices through the thermal vision grant program shall comply with all  
17 administrative regulations concerning reporting requirements~~[established by the~~  
18 ~~commission]~~. Failure to comply with these reporting requirements shall disqualify a fire  
19 department from participation in the thermal vision grant program for a period of five (5)  
20 years.

21 →Section 17. KRS 95A.510 is amended to read as follows:

22 As used in KRS 95A.500 to 95A.560, unless the context requires otherwise:

23 (1) "Qualified fire department" means any volunteer fire department in any city of any  
24 class, fire protection districts organized pursuant to KRS Chapter 75, county  
25 districts established under authority of KRS 67.083, and volunteer fire departments  
26 created as nonprofit corporations pursuant to KRS Chapter 273 eligible to receive  
27 volunteer fire department aid under KRS 95A.262(2); and

1 (2) "Qualified share" means the amount of money allocated by the commissioner of the  
2 Department of Housing, Buildings and Construction or his or her  
3 designee~~[Commission on Fire Protection Personnel Standards and Education]~~ for  
4 volunteer fire department aid under KRS 95A.262(2), less any penalties for failure  
5 to participate satisfactorily in the Kentucky fire incident reporting system as  
6 described in KRS 304.13-380.

7 ➔Section 18. KRS 95A.560 is amended to read as follows:

8 If the resulting merged district does not remain qualified to receive the volunteer fire  
9 department aid under KRS 95A.262(2), then the commissioner of the Department of  
10 Housing, Buildings and Construction or his or her designee~~[Commission on Fire~~  
11 ~~Protection Personnel Standards and Education]~~ shall suspend all payments calculated  
12 under KRS 95A.520. The merged district shall have ninety (90) days to come into  
13 compliance with the requirements for qualification. If the merged district does so, then  
14 the commissioner of the Department of Housing, Buildings and Construction or his or  
15 her designee~~[commission]~~ shall resume payments as calculated under KRS 95A.520. If  
16 the merged district does not come into compliance within ninety (90) days of the loss of  
17 qualification, then the commissioner of the Department of Housing, Buildings and  
18 construction or his or her designee~~[commission]~~ shall not resume payments as  
19 calculated under KRS 95A.520. Should the merged district come into compliance after  
20 ninety (90) days, it shall receive only one (1) qualified share of the volunteer fire  
21 department aid under KRS 95A.262(2).

22 ➔Section 19. KRS 227.205 is amended to read as follows:

23 The Department of Housing, Buildings and Construction is hereby created within the  
24 Public Protection Cabinet. The department shall be headed by a commissioner appointed  
25 by the Governor in accordance with KRS 12.040, and who shall report to the secretary of  
26 the Public Protection Cabinet. The office of the commissioner shall also include a deputy  
27 commissioner and an executive assistant to the commissioner, who shall be the policy

1 making assistants to the commissioner and shall be appointed pursuant to KRS 12.050.  
2 The department shall consist of the Division of Fire Prevention, **the Division of Fire**  
3 **Protection Personnel Standards and Education**, the Division of Building Codes  
4 Enforcement, the Division of Plumbing, the Electrical Division, and the Division of  
5 Heating, Ventilation, and Air Conditioning (HVAC).

6 ➔Section 20. KRS 36.250 is repealed, reenacted as a new section of KRS Chapter  
7 95A, and amended to read as follows:

8 As used in **Sections 21, 22, and 23 of this Act**~~[KRS 36.250 to 36.270]~~:

- 9 (1) "Board" means the Kentucky Community Crisis Response Board;
- 10 (2) "Community crisis response team" means the statewide membership of trained  
11 volunteers that provide crisis response services under the direction of the board;
- 12 (3) "Crisis response services" means consultation, risk assessment, referral, and on-site  
13 crisis intervention services to persons impacted by crisis or disaster, but shall not be  
14 construed to include any services performed or intended to be performed by any  
15 other agency of the Commonwealth, any of its subdivisions, or any private party  
16 under KRS Chapter 224 or 39;
- 17 (4) "Debriefing session" means the crisis response services rendered during or after a  
18 crisis or disaster; and
- 19 (5) "Local community crisis response team" means a team formed to provide crisis  
20 response services in a county, district, or region and which operates in accordance  
21 with protocols and procedures established by the board.

22 ➔Section 21. KRS 36.255 is repealed, reenacted as a new section of KRS Chapter  
23 95A, and amended to read as follows:

- 24 (1) The Kentucky Community Crisis Response Board is hereby created as a separate  
25 administrative body of state government within the meaning of KRS Chapter 12 and  
26 attached for administrative purposes to the Department of **Housing, Buildings and**  
27 **Construction**~~[Military Affairs]~~.

- 1 (2) The membership of the board shall consist of the following:
- 2 (a) The commissioner of the Department for Behavioral Health, Developmental  
3 and Intellectual Disabilities, or the commissioner's designee;
- 4 (b) The commissioner of the Department for Public Health, or the commissioner's  
5 designee;
- 6 (c) The commissioner of the Department of Education, or the commissioner's  
7 designee;
- 8 (d) The commissioner of the Department of Kentucky State Police, or the  
9 commissioner's designee;
- 10 (e) The Kentucky state fire marshal, or the fire marshal's designee;
- 11 (f) The executive director of the Division of Emergency Management, or the  
12 executive director's designee;
- 13 (g) The Attorney General, or the Attorney General's designee;
- 14 (h) One (1) representative of local community crisis response teams appointed by  
15 the Governor;
- 16 (i) Four (4) members appointed by the Governor to represent mental health  
17 disciplines;
- 18 (j) Two (2) members appointed by the Governor to represent emergency services  
19 disciplines;
- 20 (k) One (1) member who is a mental health professional licensed for independent  
21 clinical practice, to be appointed by the Governor. The licensed mental health  
22 professional member shall serve as clinical director for the board;
- 23 (l) One (1) member, appointed by the Governor, from a statewide chaplain's  
24 association involved in emergency services, who is trained in grief counseling  
25 and has experience in crisis response;
- 26 (m) One (1) member from the Kentucky Chapter of the American Red Cross; and
- 27 (n) The commissioner of the Department for Community Based Services or the



1 commissioner's designee.

2 (3) All board members appointed pursuant to subsection (2)(h) to (l) of this section  
3 shall be approved members of the existing community crisis response team.

4 (4) All board members appointed pursuant to subsection (2)(h) to (l) of this section  
5 shall have demonstrated a commitment to the provision of community crisis  
6 response services.

7 (5) The members of the board appointed by the Governor shall serve for two (2) years  
8 and may be reappointed for one (1) additional consecutive two (2) year term. All  
9 vacancies in appointed members' terms shall be filled by appointment of the  
10 Governor for the remainder of the unexpired term.

11 (6) The board shall elect annually from its membership a chairperson and shall  
12 establish other officers and committees as needed to execute the duties of the board.

13 (7) The board shall meet at least quarterly, and a majority of the members shall  
14 constitute a quorum for the transaction of the board's business.

15 (8) Except for hired and appointed staff, no board member or team member shall  
16 receive compensation. However, board members and crisis response team members  
17 may receive reimbursement for expenses incurred in the course of providing crisis  
18 response services or executing the duties of the board, consistent with state policy  
19 governing the reimbursement of state employees for food, travel, and lodging.  
20 Except as provided for in Section 22 of this Act~~[KRS 36.260]~~, nothing in the  
21 provisions of Sections 21, 22, and 23 of this Act~~[KRS 36.250 to 36.270]~~ shall be  
22 construed to create liability of a private party for expenses incurred or reimbursed  
23 under this subsection.

24 ➔Section 22. KRS 36.260 is repealed and reenacted as a new section of KRS  
25 Chapter 95A to read as follows:

26 The board shall:

27 (1) Establish and maintain necessary offices, appoint an executive director, and hire

- 1 other employees as necessary and prescribe their duties and compensation;
- 2 (2) Recruit and train volunteer members who shall comprise the community crisis  
3 response team;
- 4 (3) Maintain a team of volunteer members to provide crisis response services statewide;
- 5 (4) Provide technical assistance for the development of local community crisis response  
6 teams;
- 7 (5) Promulgate administrative regulations pursuant to KRS Chapter 13A relating to the  
8 operation of crisis response services;
- 9 (6) Provide training programs on the operation of the crisis response teams and the  
10 provision of crisis response services;
- 11 (7) Develop agreements with agencies in both the public and private sectors;
- 12 (8) Promulgate administrative regulations pursuant to KRS Chapter 13A as necessary  
13 to execute the duties of the board;
- 14 (9) Make recommendations to the Governor and to the General Assembly related to the  
15 planning and provision of crisis response services; and
- 16 (10) Receive funding from any source and apply for public and private grants as it deems  
17 necessary.

18 ➔Section 23. KRS 36.270 is repealed, reenacted as a new section of KRS Chapter  
19 95A, and amended to read as follows:

20 Whenever the employees of the Commonwealth of Kentucky or any county, urban-  
21 county, charter county, or city government, are rendering outside aid pursuant to the  
22 authority contained in Sections 21, 22, and 23 of this Act [~~KRS 36.250 to 36.270~~], those  
23 employees shall have the same powers, duties, rights, privileges, and immunities as if  
24 they were performing their duties in the jurisdiction in which they are normally employed.

25 ➔Section 24. The following KRS sections are repealed:

26 36.265 Attorney General to represent board members in civil proceedings.

27 95A.050 Meetings -- Contract powers -- Administrative regulations.

- 1 95A.060 Responsibility of Kentucky Community and Technical College System for
- 2 education programs approved by the commission -- Commission to ratify certain
- 3 personnel decisions -- Procedure for budget administration.