

FREE CONFERENCE COMMITTEE REPORT

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The Free Conference Committee on **HB 556** has met as provided in the Rules of the House and Senate and hereby reports the following to be adopted:

_____ GA X SCS _____ HCS

For the above-referenced bill, with these amendments (if applicable):

Committee (list by chamber and number): _____;

Floor (list by chamber and number): _____; and

The following Free Conference Committee action:

On page 1, line 3, through page 22, lines 23, by deleting the text and inserting in lieu thereof:

"➔SECTION 1. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Commission" means the Harrodsburg Sestercentennial Commission established in subsection (2) of this section; and

(b) "Sestercentennial" means the two hundred fiftieth anniversary of the founding of Harrodsburg on June 16, 1774.

(2) The Harrodsburg Sestercentennial Commission is hereby established to plan, encourage, develop, and coordinate events and other activities related to the two hundred fiftieth anniversary of Harrodsburg in 2024. To accomplish its charge, the commission shall:

(a) Ensure that adequate way-finding signage and mapping is accomplished to mark and identify Old Fort Harrod State Park;

(b) Educate citizens of the Commonwealth and the nation about the stories of pioneers and Native Americans in the early days of westward settlement and the impact Harrodsburg and settlements of its nature had on Kentucky and American history;

- 1 (c) Plan and implement events for a year-long sesstercentennial commemoration in the
2 year 2024 of the founding of Harrodsburg and whatever events in the immediately
3 preceding and following years are deemed appropriate by the commission,
4 including any battlefield commemorations if funds are available;
- 5 (d) Assist local governments and their representatives with planning, preparation, and
6 grant applications for sesstercentennial events and projects;
- 7 (e) Coordinate federal, state, local, and nonprofit organizations' sesstercentennial
8 activities occurring in Kentucky;
- 9 (f) Coordinate events and activities with parties, commissions, and organizations
10 wishing to participate in the 2024 commemoration;
- 11 (g) Act as a point of contact for national organizations wishing to distribute
12 information to state and local groups about grant opportunities, meetings, and
13 national events related to the settlement of Harrodsburg and sesstercentennial
14 activities;
- 15 (h) Seek funding sources such as foundations, line item appropriations, federal grants,
16 philanthropic organizations, and lineage societies;
- 17 (i) Create press, print, and electronic contacts that generate stories on a continual
18 basis;
- 19 (j) Encourage and contract new publications and create a call for papers on
20 Harrodsburg, Fort Harrod, James Harrod, or other participating or involved
21 parties, and how the history of this early frontier settlement impacted American
22 history;
- 23 (k) Organize symposiums and other methodologies to investigate genealogy relative to
24 Harrodsburg;
- 25 (l) Create higher and lower educational programs;
- 26 (m) Perform other duties necessary to educate Kentuckians on the history of
27 Harrodsburg and early frontier settlements and on the Commonwealth's role in

- 1 early westward expansion;
- 2 (n) Evaluate the existing infrastructure of Old Fort Harrod State Park, provide
3 recommendations for what infrastructure should be in place for the successful
4 undertaking of appropriate events and activities in accordance with this section,
5 and coordinate with state and local bodies to make necessary infrastructure
6 improvements; and
- 7 (o) Coordinate planning for the sestercentennial with the nonprofit organization
8 Harrodsburg 250th, Inc., this organization having been established by the local
9 governments of Harrodsburg and Mercer County to serve as the point of contact
10 for local planning for the sestercentennial.
- 11 (3) The commission shall consist of the following eleven (11) members:
- 12 (a) The secretary of the Education and Workforce Development Cabinet or his or her
13 designee;
- 14 (b) The secretary of the Transportation Cabinet or his or her designee;
- 15 (c) Two (2) members from the Tourism, Arts and Heritage Cabinet, appointed by the
16 secretary of the cabinet;
- 17 (d) One (1) member from the Kentucky Heritage Council, appointed by the state
18 historic preservation officer;
- 19 (e) One (1) member of the Kentucky Humanities Council, appointed by the chair of the
20 council;
- 21 (f) One (1) member of Harrodsburg 250th, Inc., recommended by the chair of that
22 organization and appointed by the Governor;
- 23 (g) One (1) member of the Friends of Fort Harrod, recommended by the leader of that
24 organization and appointed by the Governor; and
- 25 (h) Three (3) citizen members appointed by the Governor, one (1) of whom shall be
26 designated as the chair.
- 27 (4) The Harrodsburg Sestercentennial Commission shall be attached to the Kentucky

1 *Historical Society for administrative purposes only.*

2 *(5) This section shall expire on January 1, 2027.*

3 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ
4 AS FOLLOWS:

5 *(1) The Kentucky State Parks Centennial Commission is established to plan and implement*
6 *events to celebrate the one hundredth anniversary of the state parks system in 2024. To*
7 *accomplish its charge, the commission shall:*

8 *(a) Assist local governments and organizations with planning, preparation, and grant*
9 *applications for parks centennial events and projects;*

10 *(b) Coordinate events and activities with parties, commissions, and organizations*
11 *wishing to participate in the centennial celebration;*

12 *(c) Seek funding sources such as foundations, line item appropriations, federal grants,*
13 *and philanthropic organizations;*

14 *(d) Establish press, print, and electronic contacts that generate stories on a continual*
15 *basis; and*

16 *(e) Perform other duties necessary to highlight Kentucky's parks system during its one*
17 *hundredth year.*

18 *(2) The Kentucky State Parks Centennial Commission shall consist of the following nine (9)*
19 *members:*

20 *(a) The secretary of the Tourism, Arts and Heritage Cabinet or his or her designee;*

21 *(b) One (1) additional member from the Tourism, Arts and Heritage Cabinet,*
22 *appointed by the secretary;*

23 *(c) One (1) member from the Kentucky Historical Society, appointed by the executive*
24 *director of the society;*

25 *(d) One (1) member from the Kentucky Heritage Council, appointed by the state*
26 *historic preservation officer;*

27 *(e) Three (3) members selected by the secretary of the Tourism, Arts and Heritage*

1 Cabinet who work in onsite park leadership; and

2 (f) Two (2) citizen members, one (1) of whom shall be designated as the chair and
 3 appointed by the Governor.

4 (3) The Kentucky State Parks Centennial Commission shall be attached to the Kentucky
 5 Tourism, Arts and Heritage Cabinet for administrative purposes only.

6 (4) This section shall expire on January 1, 2025.

7 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO READ
 8 AS FOLLOWS:

9 (1) As used in this section:

10 (a) "Commission" means the Kentucky Sestercentennial Commission established in
 11 subsection (2) of this section; and

12 (b) "Sestercentennial" means the two hundred fiftieth anniversary of historic events
 13 from 1774 to 1776 that include the founding of Harrodsburg in 1774, the opening
 14 of Boone Trace in 1775, the genesis of westward movement, and the important
 15 events tied to our nation's founding in 1776.

16 (2) The Kentucky Sestercentennial Commission is hereby established to plan and implement
 17 events to celebrate the two hundred fiftieth anniversary of Old Fort Harrod in 2024,
 18 culminating with the Declaration of Independence in 1776. To accomplish its charge,
 19 the commission shall:

20 (a) Elect a chair of the commission and have the authority to form subcommittees and
 21 working groups that include non-commission members in order to plan, develop,
 22 and coordinate specific activities;

23 (b) Plan, encourage, develop, and coordinate the commemoration of the two hundred
 24 fiftieth anniversary of the founding of the United States and recognize Kentucky's
 25 integral role in that event and the impact of its people on the nation's past, present,
 26 and future;

27 (c) Ensure that adequate way-finding signage and mapping is accomplished to mark

- 1 and identify the relevant points of interest and routes involved in the founding of
2 Kentucky and the opening of the west;
- 3 (d) Educate citizens of the Commonwealth and the nation about the stories of
4 pioneers, African Americans, and Native Americans in the early days of westward
5 settlement and the impact Fort Harrod and Fort Boonesborough had on Kentucky
6 and American history;
- 7 (e) Plan and implement events for a three (3) year sescentennial commemoration of
8 the years 2024 to 2026 and following years deemed appropriate by the commission,
9 including any battlefield commemorations if funds are available;
- 10 (f) Assist local governments with planning, preparation, and grant applications for
11 sescentennial events and projects;
- 12 (g) Coordinate federal, state, local, and nonprofit organizations' sescentennial
13 activities occurring in Kentucky;
- 14 (h) Coordinate events and activities with parties, commissions, and organizations
15 wishing to participate in the commemoration;
- 16 (i) Seek funding sources such as foundations, line item appropriations, federal grants,
17 philanthropic organizations, and lineage societies;
- 18 (j) Establish press, print, and electronic contacts that generate stories on a continual
19 basis;
- 20 (k) Encourage and contract new publications and create a call for papers on how the
21 history of this early frontier settlement impacted American history;
- 22 (l) Organize symposiums and other methodologies to investigate genealogy relative to
23 the events involved in the founding of Kentucky and opening of the west;
- 24 (m) Create higher and lower educational programs; and
- 25 (n) Perform other duties necessary to educate Kentuckians on the history of early
26 frontier settlements and on the Commonwealth's role in early westward expansion
27 and to highlight the importance of the years 1774 to 1776 to Kentucky history.

1 **(3) The commission shall consist of the following fourteen (14) members:**

2 **(a) The secretary of the Education and Workforce Development Cabinet or his or her**
 3 **designee;**

4 **(b) One (1) member from the Tourism, Arts and Heritage Cabinet appointed by the**
 5 **secretary of the cabinet;**

6 **(c) One (1) member from the Kentucky Heritage Council, appointed by the state**
 7 **historic preservation officer;**

8 **(d) One (1) member from the Kentucky Humanities Council, appointed by the chair of**
 9 **the council;**

10 **(e) One (1) member of the Friends of Fort Harrod, recommended by the leader of that**
 11 **organization and appointed by the Governor;**

12 **(f) Three (3) citizen members appointed by the Governor, one (1) of whom shall be**
 13 **designated as the chair;**

14 **(g) The commissioner of the Department of Parks or his or her designee;**

15 **(h) The president of Friends of Boone Trace, Inc. or his or her designee;**

16 **(i) The president of the Fort Boonesborough Foundation, or his or her designee;**

17 **(j) One (1) member from the Kentucky African American Heritage Commission**
 18 **appointed by the chair of that commission;**

19 **(k) One (1) member of the Kentucky Native American Heritage Commission appointed**
 20 **by the chair of that commission; and**

21 **(l) One (1) member of the Kentucky Historical Society appointed by the executive**
 22 **director of the society.**

23 **(4) The Kentucky Sestercentennial Commission shall be attached to the Kentucky Historical**
 24 **Society for administrative purposes only.**

25 **(5) This section shall expire on January 1, 2027.**

26 ➔Section 4. KRS 197.045 is amended to read as follows:

27 (1) Any person convicted and sentenced to a state penal institution:

- 1 (a) Shall receive a credit on his or her sentence for:
- 2 1. Prior confinement as specified in KRS 532.120;
- 3 2. Successfully receiving a High School Equivalency Diploma or a high school
- 4 diploma, a college degree, a completed vocational or technical education
- 5 program, or a correspondence postsecondary education program which results in
- 6 a diploma or degree, as provided, defined, and approved by the department in
- 7 the amount of ninety (90) days per diploma, degree, or technical education
- 8 program completed;
- 9 3. Successfully completing a drug treatment program, evidence-based program, or
- 10 any other promising practice or life skills program approved by the department,
- 11 in the amount of not more than ninety (90) days for each program completed.
- 12 The department shall determine criteria to establish whether a life skills or
- 13 promising practice program is eligible for sentence credits. Programs shall
- 14 demonstrate learning of skills necessary for reintegration into the community to
- 15 minimize barriers to successful reentry. Approval of programs shall be subject
- 16 to review by the cabinet; and
- 17 (b) May receive a credit on his or her sentence for:
- 18 1. Good behavior in an amount not exceeding ten (10) days for each month served,
- 19 to be determined by the department from the conduct of the prisoner;
- 20 2. Performing exceptionally meritorious service or performing duties of
- 21 outstanding importance in connection with institutional operations and
- 22 programs, awarded at the discretion of the commissioner in an amount not to
- 23 exceed seven (7) days per month; and
- 24 3. Acts of exceptional service during times of emergency, awarded at the
- 25 discretion of the commissioner in an amount not to exceed seven (7) days per
- 26 month.
- 27 (2) Except for a sentencing credit awarded for prior confinement, the department may forfeit

1 any sentencing credit awarded under subsection (1) of this section previously earned by the
2 prisoner or deny the prisoner the right to earn future sentencing credit in any amount if
3 during the term of imprisonment, a prisoner commits any offense or violates the rules of the
4 institution.

5 (3) When two (2) or more consecutive sentences are to be served, the several sentences shall be
6 merged and served in the aggregate for the purposes of the sentencing credit computation or
7 in computing dates of expiration of sentence.

8 (4) Until successful completion of the sex offender treatment program, an eligible sexual
9 offender may earn sentencing credit. However, the sentencing credit shall not be credited to
10 the eligible sexual offender's sentence. Upon the successful completion of the sex offender
11 treatment program, as determined by the program director, the offender shall be eligible for
12 all sentencing credit earned but not otherwise forfeited under administrative regulations
13 promulgated by the Department of Corrections. After successful completion of the sex
14 offender treatment program, an eligible sexual offender may continue to earn sentencing
15 credit in the manner provided by administrative regulations promulgated by the Department
16 of Corrections. Any eligible sexual offender, as defined in KRS 197.410, who has not
17 successfully completed the sex offender treatment program as determined by the program
18 director shall not be entitled to the benefit of any credit on his or her sentence. A sexual
19 offender who does not complete the sex offender treatment program for any reason shall
20 serve his or her entire sentence without benefit of sentencing credit, parole, or other form of
21 early release. The provisions of this section shall not apply to any sexual offender convicted
22 before July 15, 1998, or to any sexual offender with an intellectual disability.

23 (5) (a) The Department of Corrections shall, by administrative regulation, specify the length
24 of forfeiture of sentencing credit and the ability to earn sentencing credit in the future
25 for those inmates who have civil actions dismissed because the court found the action
26 to be malicious, harassing, or factually frivolous.

27 (b) Penalties set by administrative regulation pursuant to this subsection shall be as

1 uniform as practicable throughout all institutions operated by, under contract to, or
 2 under the control of the department and shall specify a specific number of days or
 3 months of sentencing credit forfeited as well as any prohibition imposed on the future
 4 earning of sentencing credit.

5 (6) Starting in fiscal year 2021-2022 and through fiscal year 2023-2024, if a state prisoner is
 6 confined in a jail pursuant to Section 6 of this Act and earns sentencing credits under
 7 subsection (1)(a)2. or 3. of this section while confined in that jail, at the end of that
 8 prisoner's period of confinement in that jail, the department shall pay a fee to the unit of
 9 local government or regional jail authority responsible for the administration of that jail
 10 as follows:

11 (a) For every Department of Corrections-approved program completed which resulted
 12 in the issuance of a ninety (90) day sentencing credit, a payment of one thousand
 13 dollars (\$1,000) shall be made;

14 (b) For every Department of Corrections-approved program completed which resulted
 15 in the issuance of a sixty (60) day sentencing credit, a payment of six hundred
 16 dollars (\$600) shall be made; and

17 (c) For every Department of Corrections-approved program completed which resulted
 18 in the issuance of a thirty (30) day sentencing credit, a payment of three hundred
 19 dollars (\$300) shall be made.

20 (Z) The provisions in subsection (1)(a)2. of this section shall apply retroactively to July 1,
 21 2018~~[15, 2011]~~.

22 ➔Section 5. There is hereby appropriated General Fund moneys in the amount of
 23 \$30,000,000 in fiscal year 2021-2022 to the Community Services and Local Facilities budget unit
 24 to provide the incentive payments outlined in Sections 4 and 6 of this Act. Notwithstanding KRS
 25 45.229, any unexpended funds in fiscal year 2021-2022 shall lapse to the Budget Reserve Trust
 26 Fund Account (KRS 48.705).

27 ➔Section 6. KRS 532.100 is amended to read as follows:

- 1 (1) As used in this section, "jail" means a "jail" or "regional jail" as defined in KRS 441.005.
- 2 (2) When an indeterminate term of imprisonment is imposed, the court shall commit the
3 defendant to the custody of the Department of Corrections for the term of his or her
4 sentence and until released in accordance with the law.
- 5 (3) When a definite term of imprisonment is imposed, the court shall commit the defendant to
6 a jail for the term of his or her sentence and until released in accordance with the law.
- 7 (4) When a sentence of death is imposed, the court shall commit the defendant to the custody
8 of the Department of Corrections with directions that the sentence be carried out according
9 to law.
- 10 (5) (a) The provisions of KRS 500.080(5) notwithstanding, if a Class D felon is sentenced to
11 an indeterminate term of imprisonment of five (5) years or less, he or she shall serve
12 that term in a jail in a county in which the fiscal court has agreed to house state
13 prisoners; except that, when an indeterminate sentence of two (2) years or more is
14 imposed on a Class D felon convicted of a sexual offense enumerated in KRS
15 197.410(1), or a crime under KRS 17.510(11) or (12), the sentence shall be served in
16 a state institution. Counties choosing not to comply with the provisions of this
17 paragraph shall be granted a waiver by the commissioner of the Department of
18 Corrections.
- 19 (b) The provisions of KRS 500.080(5) notwithstanding, a Class D felon who received a
20 sentence of more than five (5) years for nonviolent, nonsexual offenses, but who
21 currently has less than five (5) years remaining to be served, may serve the remainder
22 of his or her term in a jail in a county in which the fiscal court has agreed to house
23 state prisoners.
- 24 (c) 1. The provisions of KRS 500.080(5) notwithstanding, and except as provided in
25 subparagraph 2. of this paragraph, a Class C or D felon with a sentence of more
26 than five (5) years who is classified by the Department of Corrections as
27 community custody shall serve that term in a jail in a county in which the fiscal

- 1 court has agreed to house state prisoners if:
- 2 a. Beds are available in the jail;
- 3 b. State facilities are at capacity; and
- 4 c. Halfway house beds are being utilized at the contract level as of July 15,
- 5 2000.
- 6 2. When an indeterminate sentence of two (2) years or more is imposed on a felon
- 7 convicted of a sex crime, as defined in KRS 17.500, or any similar offense in
- 8 another jurisdiction, the sentence shall be served in a state institution.
- 9 3. Counties choosing not to comply with the provisions of this paragraph shall be
- 10 granted a waiver by the commissioner of the Department of Corrections.
- 11 (d) Any jail that houses state inmates under this subsection shall offer programs as
- 12 recommended by the Jail Standards Commission. The Department of Corrections
- 13 shall adopt the recommendations of the Jail Standards Commission and promulgate
- 14 administrative regulations establishing required programs for a jail that houses state
- 15 inmates under this subsection. The Department of Corrections shall approve
- 16 programming offered by jails to state inmates for sentencing credits in accordance
- 17 with KRS 197.045.
- 18 (e) Before housing any female state inmate, a jail shall be certified pursuant to KRS
- 19 197.020.
- 20 (f) 1. a. If a jail is at or over one hundred fifty percent (150%) capacity, the
- 21 Department of Corrections may direct the jail to transfer a specified
- 22 number of state prisoners to vacant beds at other designated jails or state
- 23 institutions. As used in this paragraph, "capacity" means the capacity
- 24 listed on the certificate of occupancy issued each year to the jail by the
- 25 Department of Corrections.
- 26 b. The Department of Corrections shall choose which state prisoners are
- 27 eligible for transfer based on the security level of the vacant bed at the

- 1 receiving jail or state institution.
- 2 c. State prisoners who are approved for transfer to a Department of
3 Corrections facility for necessary medical treatment and care pursuant to
4 KRS 441.560 shall not be transferred to another jail.
- 5 d. State prisoners enrolled in a Department of Corrections approved program
6 pursuant to KRS 197.045 shall not be transferred.
- 7 e. State prisoners awaiting trial in the county they are being housed shall not
8 be transferred.
- 9 f. Jails that receive state prisoners pursuant to this subparagraph shall be
10 responsible for the transportation of those prisoners to the jail.
- 11 2. If the Department of Corrections directs the transfer of a state prisoner pursuant
12 to subparagraph 1. of this paragraph, the jailer has fourteen (14) days to transfer
13 the state prisoner. If the jailer refuses to release custody of the state prisoner to
14 the receiving jail within fourteen (14) days, the department shall reduce the per
15 diem for the jail for an amount equal to the per diem of that prisoner for each
16 day the jailer refuses to comply with the direction.
- 17 3. If the Department of Corrections directs the transfer of a state prisoner pursuant
18 to subparagraph 1. of this paragraph, the jailer of the receiving jail shall accept
19 the transfer and transport the state prisoner in accordance with subparagraph 1.f.
20 of this paragraph. If, after receiving a copy of the direction, the jailer refuses to
21 accept and transport the state prisoner, the Department of Corrections shall
22 reduce the per diem for the receiving jail for an amount equal to the per diem of
23 that prisoner for each day the jailer refuses to comply with the direction.
- 24 4. If a jail has a vacant bed and has a Class C or Class D felon who, based on the
25 Department of Corrections classification system, is eligible to be housed in that
26 vacant bed, the department may direct the jail to transfer the state prisoner to
27 that bed. If the jailer refuses to transfer the state prisoner to the vacant bed, the

1 Department of Corrections shall reduce the per diem for the jail for an amount
2 equal to the per diem of that prisoner for each day the jailer refuses to comply
3 with the direction.

4 5. The per diem reduced pursuant to subparagraph 2., 3., or 4. of this paragraph
5 shall be enforced by withholding the amount from the per diem paid to the jail
6 pursuant to KRS 431.215(2).

7 6. If a jail that is at or over one hundred fifty percent (150%) capacity requests the
8 transfer of a specified number of state prisoners, the Department of Corrections
9 may, if vacant beds are available at other jails, direct the transfer in accordance
10 with subparagraph 1. of this paragraph.

11 (g) If a jail has vacant beds in an area of the jail usually reserved for state prisoners, the
12 jail may house county prisoners in that area.

13 (6) The jailer of a county in which a Class D felon or a Class C felon is incarcerated may
14 request the commissioner of the Department of Corrections to incarcerate the felon in a
15 state corrections institution if the jailer has reasons to believe that the felon is an escape
16 risk, a danger to himself or herself or other inmates, an extreme security risk, or needs
17 protective custody beyond that which can be provided in a jail. The commissioner of the
18 Department of Corrections shall evaluate the request and transfer the inmate if he or she
19 deems it necessary. If the commissioner refuses to accept the felon inmate, and the Circuit
20 Judge of the county that has jurisdiction of the offense charged is of the opinion that the
21 felon cannot be safely kept in a jail, the Circuit Judge, with the consent of the Governor,
22 may order the felon transferred to the custody of the Department of Corrections.

23 (7) (a) Class D felons and Class C felons serving their time in a jail shall be considered state
24 prisoners, and, except as provided in subsection (5)(f) of this section, the Department
25 of Corrections shall pay the jail in which the prisoner is incarcerated a per diem
26 amount determined according to KRS 431.215(2). For other state prisoners and parole
27 violator prisoners, the per diem payments shall also begin on the date prescribed in

1 KRS 431.215(2), except as provided in subsection (5)(f) of this section.

2 **(b) 1. The per diem amount paid to the jail shall be increased by two dollars (\$2)**
3 **per day of program attendance for those inmates enrolled in and attending**
4 **evidence-based programs approved by the department and that do not require**
5 **instructors to have completed any postsecondary education.**

6 **2. The per diem amount paid to the jail shall be increased by ten dollars (\$10)**
7 **per day of program attendance for those inmates enrolled in and attending**
8 **evidence-based programs approved by the department and that require**
9 **instructors to have completed particular postsecondary courses.**

10 **(c) Any amount beyond the base per diem paid under paragraph (a) of this subsection**
11 **that is paid under a contract to the jail for an inmate's attendance at an evidence-**
12 **based program shall be credited toward the ten dollar (\$10) increase in per diem**
13 **required under paragraph (b) of this subsection.**

14 (8) State prisoners, excluding the Class D felons and Class C felons qualifying to serve time in
15 jails, shall be transferred to the state institution within forty-five (45) days of final
16 sentencing.

17 (9) (a) Class D felons eligible for placement in a jail may be permitted by the warden or
18 jailer to participate in any approved community work program or other form of work
19 release with the approval of the commissioner of the Department of Corrections.

20 (b) The authority to release an inmate to work under this subsection may be exercised at
21 any time during the inmate's sentence, including the period when the court has
22 concurrent authority to permit work release pursuant to KRS 439.265.

23 (c) The warden or jailer may require an inmate participating in the program to pay a fee
24 to reimburse the warden or jailer for the cost of operating the community work
25 program or any other work release program. The fee shall not exceed the lesser of
26 fifty-five dollars (\$55) per week or twenty percent (20%) of the prisoner's weekly net
27 pay earned from the community work program or work release participation. In

1 addition, the inmate may be required to pay for any drug testing performed on the
 2 inmate as a requirement of the community work program or work release
 3 participation.

4 (d) This subsection shall not apply to an inmate who:

- 5 1. Is not eligible for work release pursuant to KRS 197.140;
- 6 2. Has a maximum or close security classification as defined by administrative
 7 regulations promulgated by the Department of Corrections;
- 8 3. Is subject to the provisions of KRS 532.043; or
- 9 4. Is in a reentry center as defined in KRS 441.005.

10 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO READ AS
 11 FOLLOWS:

12 **(1) As used in this section, "development area" means a region within a consolidated local**
 13 **government bounded by:**

14 **(a) To the south, Algonquin Parkway to the South Seventh Street intersection, but**
 15 **including the unincorporated communities adjacent to Park Duvalle and**
 16 **Algonquin:**

17 **1. Beginning at the Ohio River, at the southwest corner of Chickasaw Park and**
 18 **then along the park's southern boundary to Southwestern Parkway;**

19 **2. Southwestern Parkway south to Algonquin Parkway;**

20 **3. Algonquin Parkway to South Forty-First Street;**

21 **4. South Forty-First Street south to Bells Lane;**

22 **5. Bells Lane east to Cane Run Road;**

23 **6. Cane Run Road north to Linwood Avenue;**

24 **7. Linwood Avenue east to Beech Street;**

25 **8. Beech Street south to Wingfield Lane;**

26 **9. Wingfield Lane east to Dixie Highway;**

27 **10. Dixie Highway north to Algonquin Parkway; and**

1 11. Algonquin Parkway east to South Seventh Street;

2 (b) To the east, South Seventh Street north to Ninth Street and Ninth Street north to
3 the Ohio River; and

4 (c) The Ohio River to the north and west;

5 (2) Prior to any development actions taken by the West End Opportunity Partnership, a
6 minimum investment shall be pledged within the order listed and received by the West
7 End Opportunity Partnership;

8 (a) A combined total of twenty million dollars (\$20,000,000) shall be pledged by and
9 received from private sector investors and a consolidated local government, with a
10 minimum of five million dollars (\$5,000,000) pledged by a consolidated local
11 government; and

12 (b) 1. Only upon verification of receipt of the twenty million dollars (\$20,000,000)
13 pledged under paragraph (1) of this subsection, general fund moneys in the
14 amount of ten million dollars (\$10,000,000) shall be appropriated by the
15 General Assembly to the Department for Local Government for use by the
16 West End Opportunity Partnership for revitalization of the development area.

17 2. The Kentucky State Treasurer shall verify that the West End Opportunity
18 Partnership received the full twenty million dollars (\$20,000,000) in
19 accordance with paragraph (a) of this subsection prior to the General
20 Assembly appropriating ten million dollars (\$10,000,000) from the general
21 fund. The West End Opportunity Partnership shall provide the Kentucky
22 State Treasurer the information needed to verify receipt of the funds. Within
23 thirty (30) days of verifying the funds, the Kentucky State Treasurer shall
24 notify the Interim Joint Committee on Appropriations and Revenue.

25 3. If the West End Opportunity Partnership has not received the full twenty
26 million dollars (\$20,000,000) in accordance with paragraph (a) of this
27 subsection prior to June 30, 2022, the General Assembly shall not appropriate

1 *the ten million dollars (\$10,000,000) required by paragraph (b)1. of this*
2 *subsection.*

3 ➔Section 8. Sections 1 and 3 of this Act, as codified following the 2021 Regular Session
4 of the Kentucky General Assembly, shall be repealed effective January 1, 2027. Section 2 of this
5 Act, as codified following the 2021 Regular Session of the Kentucky General Assembly, shall be
6 repealed effective January 1, 2025.

7 ➔Section 9. Section 7 of this Act is effective only if the 2021 Regular Session House Bill
8 Number 321 is enacted and becomes law.

9 ➔Section 10. There is hereby appropriated General Fund moneys in the amount of
10 \$20,000,000 in fiscal year 2021-2022 to the rural hospital operations and facilities revolving loan
11 fund established in KRS 154.20-190.

12 ➔Section 11. (1) There is hereby appropriated Federal Funds from the American
13 Rescue Plan Act in the amount of \$37,000,000 in fiscal year 2021-2022 to the Justice
14 Administration budget unit to provide grants to mitigate the spread of SARS-CoV-2 and
15 COVID-19 infections in congregate or vulnerable population settings. The Justice and Public
16 Safety Cabinet shall issue a Request for Proposals to determine if vendors can provide services to
17 detect, diagnose, trace, and monitor SARS-CoV-2 and COVID-19 infections in congregate and
18 vulnerable population settings. Priority for Federal Funds grant awards shall be given to agencies
19 engaged in cooperative agreements or contracts with Commonwealth's Attorneys in individual
20 Judicial Circuits to specifically address alternative sentencing and diversionary programs for
21 census reduction in congregate settings, including but not limited to prisons, jails, detention
22 centers, and reentry facilities. Grant awards shall focus on providing technical assistance,
23 guidance, and support. The Secretary of the Justice and Public Safety Cabinet shall award grants,
24 contracts, or cooperative agreements to state, local, territorial, and Tribal public health
25 departments for activities to detect, diagnose, trace, monitor, and report on SARS-CoV-2 and
26 COVID-19 infections and related strategies and activities to mitigate the spread of SARS-CoV-
27 2, in congregate or vulnerable population settings.

1 (2) The Secretary shall develop performance outcome measures to which recipients of the
2 funds in subsection (1) of this section shall adhere. The Secretary shall submit a report to the
3 Interim Joint Committee on Appropriations and Revenue by December 31, 2021, and June 30,
4 2022. The report shall detail which entities received funding, identify the amount of funds
5 awarded to each entity, summarize each entity's use of funds, and summarize each entity's
6 performance.

7 ➔Section 12. The provisions of the Judicial Branch Budget, 2021 Regular Session HB
8 195/VO in Part, are amended as follows:

9 On page 10, delete lines 15 through 22 in their entirety and renumber subsequent sections
10 accordingly.

11 ➔Section 13. The Court of Justice shall prepare a report detailing the existing budget
12 processes of the Court of Justice and the actual expenditure of funds from fiscal year 2020-2021
13 and budgeted expenditures for fiscal year 2021-2022, by fund source and individual location or
14 office, for the Supreme Court, Court of Appeals, Circuit Court, Family Court, District Court,
15 Administrative Office of the Courts, Judicial Retirement, Local Facilities Fund, Local Facilities
16 Use Allowance Contingency Fund, and for services performed by the Circuit Court Clerks'
17 offices. This report shall be submitted to the Interim Joint Committee on Appropriations and
18 Revenue by September 1, 2021.

19 ➔Section 14. (1) There is hereby appropriated General Fund moneys in the amount of
20 \$14,700,000 in fiscal year 2021-2022 to the Court Operations and Administration budget unit to
21 provide technology upgrades for virtual hearing equipment between county jails and courts in the
22 amounts specified below:

- 23 (a) \$6,000,000 to expand video arraignment systems to all courtrooms;
- 24 (b) \$4,600,000 to support videoconferencing systems to permit a hybrid court model;
- 25 (c) \$2,000,000 to incorporate a self-represented litigant portal;
- 26 (d) \$1,100,000 to procure redaction system software; and
- 27 (e) \$1,000,000 to procure self-service kiosks.

1 (2) Pursuant to KRS Chapter 45A, the Administrative Office of the Courts shall issue
2 requests for proposals for the items listed in subsection (1) of this section by September 30, 2021.

3 ➔Section 15. There is hereby appropriated Federal Funds from the American Rescue
4 Plan Act in the amount of \$6,173,600 in fiscal year 2020-2021 and \$5,934,200 in fiscal year
5 2021-2022 to the Community Services and Local Facilities budget unit to provide a \$2 per day,
6 per state inmate per diem. The per diem shall be used to defray COVID-19-related expenditures
7 for testing, mitigation, and other response expenditures to county jails that house state inmates.
8 The funds hereby appropriated shall be retroactively paid to county jails that have housed state
9 inmates in fiscal year 2020-2021 since the initial emergency declaration was issued and shall
10 continue to be paid in fiscal year 2021-2022 for the duration of COVID-19-related emergency
11 declarations in accordance with the provisions of KRS Chapter 39A.

12 ➔Section 16. (1) There is hereby authorized and appropriated Federal Funds from the
13 Coronavirus Capital Projects Fund of the American Rescue Plan Act in the amount of
14 \$53,000,000 in fiscal year 2021-2022 to the Facilities and Support Services budget unit in the
15 Finance and Administration Cabinet for continuing renovations to the interior of the Capitol
16 Building including mechanical, electrical, and plumbing upgrades. These expenditures shall
17 conform to KRS 45.750 to 45.818.

18 (2) There is hereby authorized and appropriated Federal Funds from the Coronavirus
19 Capital Projects Fund of the American Rescue Plan Act in the amount of \$5,000,000 in fiscal
20 year 2021-2022 to the Facilities and Support Services budget unit in the Finance and
21 Administration Cabinet for renovations to the exterior of the Capitol Annex Building including
22 terrace repairs and waterproofing upgrades. These expenditures shall conform to KRS 45.750 to
23 45.818.

24 (3) In the event that the appropriations authorized in subsections (1) and (2) of this
25 section do not qualify as eligible expenditures of the Coronavirus Capital Projects Fund, the
26 Federal Funds shall be reallocated to the School Facilities Replacement and Renovation Fund.

27 ➔Section 17. There is hereby appropriated Federal Funds from the Coronavirus Capital

1 Projects Fund of the American Rescue Plan Act of 2021 in the amount of \$127,000,000 in fiscal
2 year 2021-2022 to the School Facilities Replacement and Renovation Fund in the School
3 Facilities Construction Commission budget unit to support school facility construction costs.

4 Notwithstanding KRS 157.611 to 157.665, the School Facilities Construction Commission
5 is authorized to make additional offers of assistance in fiscal year 2021-2022 to local school
6 districts for schools that are ranked as the highest on the Kentucky Facilities Inventory and
7 Classification System report as of February 27, 2020, that are A1 schools, that are ranked as a
8 Priority 1 or 2 on the local school district's facility plan, and that have levied a ten-cent
9 equivalent tax dedicated to capital improvements but remain unable to cash fund or to
10 sufficiently support the required annual debt service for replacement or renovation of the school.
11 The offer of assistance shall represent the difference between the cost to replace or renovate the
12 designated facility and the amount of available local resources.

13 The School Facilities Construction Commission shall make offers of assistance to each
14 local school district only upon the written authorization of the Commissioner of Education or his
15 or her designee and documentation of the project cost.

16 ➔Section 18. There is hereby appropriated General Fund moneys in the amount of
17 \$75,000,000 in fiscal year 2021-2022 to the School Facilities Construction Commission to
18 support local area vocational education center renovation costs. A local school district that owns
19 a facility designated as a local area vocational education center shall be eligible to receive up to
20 \$10,000,000 to support renovation costs if the center provides substance use disorder programs
21 and job creation training. The School Facilities Construction Commission shall establish a
22 funding pool and develop criteria for the districts to receive funding. Substance use disorder
23 programs, job creation and training programs, bonding capacity, and a needs-based local match
24 shall be included in the criteria.

25 ➔Section 19. Whereas an appropriation of moneys is made in fiscal year 2020-2021 to
26 the Community Services and Local Facilities budget unit, an emergency is declared to exist, and
27 this Act takes effect upon its passage and approval by the Governor or upon its otherwise

1 becoming a law."; and

2 Amend the title to read: "AN ACT relating to fiscal matters, making an appropriation

3 therefor, and declaring an emergency".

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Senate Members

House Members

Sen. Chris McDaniel

Rep. Jason Petrie

Sen. Morgan McGarvey

Rep. Joni L. Jenkins

Sen. Jimmy Higdon

Rep. Chad McCoy

The above-named members, in separate votes by house, all concur in the provisions of this report.

DATE
March 30, 2021

For Clerk's Use:
Adopted: _____
Repassage Vote: _____