

1 AN ACT relating to jail construction and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 441.420 TO 441.450 IS CREATED  
4 TO READ AS FOLLOWS:

5 *(1) A political subdivision of this Commonwealth, combination of subdivisions, or*  
6 *regional jail authority shall not build, reconstruct, remodel, or otherwise change*  
7 *the physical structure of a local correctional facility.*

8 *(2) A political subdivision of this Commonwealth, combination of subdivisions, or*  
9 *regional jail authority may renovate an existing local correctional facility if the*  
10 *renovation would not require the issuance of bonds or debt financing of any kind.*

11 *(3) The provisions of this section shall not apply where a court of law has specifically*  
12 *issued an order requiring a political subdivision to build, reconstruct, remodel,*  
13 *renovate, or change the physical structure of an existing local correctional*  
14 *facility.*

15 *(4) This section shall not prevent a political subdivision of this Commonwealth,*  
16 *combination of subdivisions, or regional jail authority from acting to keep,*  
17 *maintain, or bring an existing facility into compliance with Kentucky statutes,*  
18 *administrative regulations, or state or federal constitutional guidelines applicable*  
19 *to detention facilities.*

20 *(5) The provisions of this section shall not apply where a political subdivision of this*  
21 *Commonwealth, combination of subdivisions, or regional jail authority elects to*  
22 *replace or rebuild a facility following a catastrophic event, including but not*  
23 *limited to tornado, fire, and flood. Notwithstanding any statute or administrative*  
24 *regulation to the contrary, a local correctional facility shall be rebuilt with no*  
25 *more than its last recorded capacity.*

26 *(6) This section shall expire on December 31, 2025.*

27 ➔Section 2. Section 1 of this Act, as codified following the 2023 Regular Session

1 of the Kentucky General Assembly, is repealed effective December 31, 2025.

2       ➔Section 3. Whereas the costs associated with the construction of local  
3 correctional facilities is having immediate and significant impacts on the finances of local  
4 governments and local taxpayers, an emergency is declared to exist, and this Act takes  
5 effect upon its passage and approval by the Governor or upon its otherwise becoming a  
6 law.