

1 AN ACT relating to donations made to the Commonwealth and declaring an  
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 45 IS CREATED TO  
5 READ AS FOLLOWS:

6 *(1) The Kentucky contribution trust fund is established as a trust and agency account*  
7 *in the State Treasury and shall be administered by the Public Protection Cabinet.*

8 *(2) The fund shall consist of all moneys:*

9 *(a) Solicited by any:*

10 *1. Person within the Governor's General Cabinet described in KRS*  
11 *11.060 or employee thereof, within his or her official capacity;*

12 *2. Member of the General Assembly or employee of the Legislative*  
13 *Research Commission, within his or her official capacity; or*

14 *3. Member of the Court of Justice defined in KRS 45.237 or employee*  
15 *thereof, within his or her official capacity;*

16 *(b) Donated to or held by the Commonwealth, including but not limited to any*  
17 *moneys associated with the:*

18 *1. Team Kentucky fund established by the Governor;*

19 *2. Team western Kentucky tornado relief fund established by the*  
20 *Governor following the December 2021 storms and tornadoes that*  
21 *occurred in the western Kentucky region; and*

22 *3. Team eastern Kentucky flood relief fund established by the Governor*  
23 *following the July 2022 storms and flooding that occurred in the*  
24 *eastern Kentucky region; and*

25 *(c) Not required by statute to be deposited in another fund.*

26 *(3) Moneys in the fund shall be:*

27 *(a) Accounted for separately based on the purpose for which the moneys were*

1 solicited; and

2 (b) Maintained in the fund until appropriated by the General Assembly.

3 (4) Notwithstanding KRS 45.229, fund amounts not appropriated at the close of a  
4 fiscal year shall not lapse but shall be carried forward into the next fiscal year.

5 (5) (a) As used in this subsection, "affiliation" means the relationship between:

6 1. Members of a family, including brothers and sisters of the whole or  
7 half blood, spouse, ancestors, and lineal descendants of an individual;

8 2. An individual and a corporation, of which more than fifty percent  
9 (50%) in value of the outstanding stock is owned, directly or indirectly,  
10 by or for that individual;

11 3. An individual and a limited liability company or a partnership, of  
12 which more than fifty percent (50%) of the capital interest or profits  
13 are owned or controlled, directly or indirectly, by or for that  
14 individual; or

15 4. An individual that is a grantor or a beneficiary of a trust and the  
16 fiduciary of that trust.

17 (b) The secretary of the Public Protection Cabinet shall report the following  
18 information beginning on the tenth day of the first month following the  
19 effective date of this Act and on the tenth day of each month thereafter:

20 1. Information related to moneys deposited into the fund, including but  
21 not limited to:

22 a. The name of the person, member, or employee soliciting the  
23 moneys;

24 b. The purpose of the solicitation;

25 c. The type of entity making the donation, including a business  
26 entity, nonprofit or charitable organization, or individual; and

27 d. The state and country of origin of the entity; and

1                    2. Information related to expenditures from the fund, including but not  
2                    limited to:

3                    a. The name and address of the person or business entity receiving  
4                    any moneys from the fund;

5                    b. The amount of moneys received;

6                    c. The date of issuance of the moneys;

7                    d. The method of delivery of the moneys;

8                    e. The purpose for which the moneys were granted; and

9                    f. A statement regarding the affiliation, if any, between the person,  
10                    member, or employee soliciting the moneys and the person or  
11                    business entity receiving the moneys.

12                    (c) The report required by paragraph (b) of this subsection shall be submitted  
13                    to the Senate Standing Committee on Appropriations and Revenue and the  
14                    House Standing Committee on Appropriations and Revenue or the Interim  
15                    Joint Committee on Appropriations and Revenue.

16                    ➔Section 2. KRS 12.270 is amended to read as follows:

17                    (1) The secretary of each cabinet shall:

18                    (a) Be a member of the Governor's Cabinet and shall serve as the Governor's  
19                    liaison in carrying out the responsibilities for overall direction and  
20                    coordination of the departments, boards, and commissions included in the  
21                    related cabinet;

22                    (b) Recommend to the Governor desired reorganization affecting the related  
23                    cabinet;

24                    (c) Advise the Governor on executive actions, legislative matters, and other steps  
25                    that may be desirable for better program service;

26                    (d) Evaluate and pass upon all budget requests originated by the departments,  
27                    boards, and commissions within the related cabinet;

1 (e) Advise the Governor on the appointment of commissioners and heads of units  
2 included in the related cabinet, except for those whose election or selection is  
3 otherwise provided for by law.

4 (2) **Except as provided by Section 1 of this Act,** each secretary is authorized to accept  
5 and expend funds from any source, whether public or private, in support of the  
6 duties and responsibilities of the related cabinet.

7 (3) Each secretary shall have any and all necessary power and authority, subject to  
8 appropriate provisions of the statutes, to create such positions and to employ the  
9 necessary personnel in such positions to enable the secretary to perform the  
10 functions of his **or her** office.

11 (4) Each secretary shall have exclusive control and direction over the administration of  
12 the related cabinet programs as required by law.

13 ➔Section 3. Whereas the rebuilding of Kentucky following the recent storms and  
14 flooding is imperative, an emergency is declared to exist, and this Act takes effect upon  
15 its passage and approval by the Governor or upon its otherwise becoming a law.