

1 AN ACT relating to the military.

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

3 ➔Section 1. KRS 40.010 is amended to read as follows:

4 As used in this chapter~~[, the following terms have the following respective meanings,~~  
5 ~~unless another meaning is clearly required by the context]~~:

- 6 (1) "Administrator" means the adjutant general of the Commonwealth;
- 7 (2) "Veteran" means a person who served in the active Armed Forces of the United  
8 States, during the Spanish American War, World War I, World War II, or the  
9 Korean conflict, for a period of ninety (90) days or more (exclusive of time spent  
10 AWOL; or in penal confinement as a result of a sentence imposed by court-martial;  
11 or in service for which no allowance is made according to KRS 40.040), with some  
12 portion of service within the respective hereinafter prescribed dates, who is still in  
13 the Armed Forces, or was released, separated, discharged, or retired therefrom  
14 under honorable conditions;
- 15 (3) "Duty in active Armed Forces" includes active duty, and any period of inactive duty  
16 training during which the individual concerned was disabled; and if a person in the  
17 active Armed Forces was released, separated, or discharged therefrom by reason of  
18 disability incurred in line of duty before serving as much as ninety (90) days, such  
19 person shall be qualified for entitlement to a bonus payment under this chapter,  
20 notwithstanding failure to remain in service for the minimum time otherwise  
21 prescribed;
- 22 (4) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force,  
23 **Space Force**, and Coast Guard, including the reserve components thereof on active  
24 duty;
- 25 (5) "Qualified veteran" means a person answering to the specifications set forth in  
26 subsections (2) and (3), and who  
27 (a) Was a resident of the Commonwealth at the time of entry into active service

- 1           in the Armed Forces and for at least six (6) months prior thereto; and
- 2           (b) Who has not received a bonus or like compensation from another state; and
- 3           (c) Who is not subject to the forfeiture provisions of this chapter;
- 4   (6) "Resident of the Commonwealth at the time of entry into the active service" means
- 5           any person who gave the Commonwealth of Kentucky, or any specific place in this
- 6           Commonwealth, as his or her place of residence at such time of entry, without
- 7           regard to the place of enlistment, commission, or induction. Conclusive and
- 8           exclusive evidence of such giving of place of residence shall be the official records
- 9           on file in the Department of Defense of the United States, or any official record
- 10           thereof in the files of the United States Department of Veterans Affairs; but if it be
- 11           shown to the satisfaction of the administrator that for any reason no such record was
- 12           made, or that the same has been lost, misplaced, or destroyed, or that an
- 13           authenticated copy thereof cannot be obtained within a reasonable time, other
- 14           evidence of bona fide residence may be accepted if deemed sufficient by the
- 15           administrator;
- 16   (7) "Resident," in any context other than as in subsection (6), means a legal resident as
- 17           determined by generally established principles of law, as may be defined, and
- 18           subject to proof, according to such regulations as the administrator may promulgate;
- 19   (8) "Beneficiary" means, in this order, widow, child or children (sharing equally),
- 20           mother, father, and no other;
- 21   (9) (a) "Widow" means a woman who was the wife of a veteran at the time of his
- 22           death, and who had not deserted him (except where there was a separation
- 23           which was due to the misconduct of, or procured by, the veteran without the
- 24           fault of the wife), and who had not remarried, (unless the purported
- 25           remarriage was void or had been annulled);
- 26           (b) The term "widow" also includes "widower" in the case of a man who was the
- 27           husband of a female veteran at the time of her death;

- 1 (10) "Child" means a person:
- 2 (a) Who is under the age of eighteen (18); or
- 3 (b) Who, before attaining the age of eighteen (18) years, became permanently
- 4 incapable of self-support; or
- 5 (c) Who, after attaining the age of eighteen (18) years and until completion of
- 6 education or training (but not after attaining the age of twenty-one (21) years)
- 7 is pursuing a course of instruction at a bona fide educational institution; and
- 8 who, in relationship to the veteran, is a child born in lawful wedlock; a legally
- 9 adopted child; a stepchild who is a member of a veteran's household or was a
- 10 member at the time of the veteran's death; or a child born out of wedlock, but,
- 11 as to the alleged father, only if acknowledged in writing signed by him, or if
- 12 he had, before his death, been judicially decreed to be the father of such child;
- 13 (11) "Mother" means a mother, a mother through adoption, or a woman who for a period
- 14 of not less than one (1) year stood in the relationship of a mother to a qualified
- 15 veteran before his or her entry into active service in the Armed Forces, or if two (2)
- 16 persons stood in such relationship for one (1) year or more, the person who last
- 17 stood in such relationship before the veteran's last entry into active service in the
- 18 Armed Forces;
- 19 (12) "Father" means a father, a father through adoption, or a man who for a period of not
- 20 less than one (1) year stood in the relationship of a father to a qualified veteran
- 21 before his or her entry into active service in the Armed Forces, or if two (2) persons
- 22 stood in such relationship for one (1) year or more, the person who last stood in
- 23 such relationship before the veteran's last entry into active service in the Armed
- 24 Forces;
- 25 (13) "In the continental United States" means any place in the District of Columbia and
- 26 the states of the United States which are on the North American continent,
- 27 exclusive of Alaska;

- 1 (14) "Outside the continental United States" means any place elsewhere than as defined  
2 in subsection (13);
- 3 (15) "Spanish-American War":
- 4 (a) Means the period beginning on April 21, 1898, and ending on July 4, 1902;
- 5 (b) Includes the Philippine Insurrection and the Boxer Rebellion; and
- 6 (c) In the case of a veteran who served with the United States military forces  
7 engaged in hostilities in the Moro Province, means the period beginning on  
8 April 21, 1898, and ending on July 15, 1903;
- 9 (16) "World War I":
- 10 (a) Means the period beginning on April 6, 1917, and ending on November 11,  
11 1918; and
- 12 (b) In the case of a veteran who served with the United States military forces in  
13 Russia, means the period beginning on April 6, 1917, and ending on April 1,  
14 1920; and
- 15 (c) Any service between April 6, 1917, and July 1, 1921, if some part thereof was  
16 between April 6, 1917, and November 11, 1918, both dates being inclusive;
- 17 (17) "World War II" means the period beginning December 7, 1941, and ending  
18 December 31, 1946;
- 19 (18) "Korean conflict" means the period beginning on June 27, 1950, and ending  
20 January 31, 1955;
- 21 (19) "Bonus" and "veterans' bonus" means the compensation authorized by this chapter;
- 22 (20) "Bonus claim" means a claim or potential claim for a veterans' bonus;
- 23 (21) "Claimant" means one who seeks to obtain payment of a bonus claim.

24 ➔Section 2. KRS 40.400 is amended to read as follows:

25 As used in KRS 40.410 to 40.560~~, the following terms have the following respective~~  
26 ~~meanings, unless another meaning is clearly required by the context]:~~

- 27 (1) "Department of Military Affairs" means the office of the adjutant general,

- 1 Commonwealth of Kentucky;
- 2 (2) "Administrator" means the individual designated by the adjutant general to carry  
3 out the responsibilities of KRS 40.410 to 40.560;
- 4 (3) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force,  
5 Space Force, and Coast Guard, including the reserve components thereof on active  
6 duty, other than for training, and shall not include the merchant marine;
- 7 (4) "Qualified veteran" means any person whose period of active duty service meets the  
8 criteria set forth in subsection (5) or (6) of this section;
- 9 (5) "Qualifying Vietnam service" means service by any person who:
- 10 (a) Served as a member of the Armed Forces of the United States in Vietnam or  
11 its contiguous waters or airspace, as defined in United States Department of  
12 Defense Directive 1348.15, October 1, 1965, for a period of at least thirty (30)  
13 days, unless such period was lessened as a result of death or medical  
14 evacuation, during the period July 1, 1958, through May 15, 1975; or served  
15 as a member of the Armed Forces of the United States in the Dominican  
16 Republic, Congo, Thailand, Laos, or Cambodia, or participated in aerial  
17 missions in the airspace over same, for a period of at least thirty (30) days,  
18 unless such period was lessened as a result of death or medical evacuation,  
19 during the period July 3, 1965, through May 15, 1975; or served as a member  
20 of the Armed Forces of the United States and was awarded, or was eligible for  
21 award of, the Vietnam Service Medal established by United States  
22 Department of Defense Directive 1348.15, October 1, 1965;
- 23 (b) Was released, separated, or discharged from the Armed Forces under other  
24 than dishonorable conditions or who is presently serving on active duty;
- 25 (c) Was a resident of the Commonwealth at the time of entry into active service  
26 in the Armed Forces and for at least six (6) months prior thereto; and
- 27 (d) Has not received a similar bonus for such service from any other state;

- 1 (6) "Qualifying Vietnam era service" means service by any person who:
- 2 (a) Served in the Armed Forces of the United States on active duty, including
- 3 service in a reserve component thereof other than for training, for at least
- 4 ninety (90) consecutive days, exclusive of time lost as AWOL or in penal
- 5 confinement, during the period August 5, 1964, to May 15, 1975, but whose
- 6 service was in a location not included in subsection (5)(a) of this section;
- 7 (b) Was released, separated, or discharged from the Armed Forces under other
- 8 than dishonorable conditions or is still serving on active duty;
- 9 (c) Was a resident of the Commonwealth at the time of his or her entry into
- 10 active service in the Armed Forces and for at least six (6) months prior
- 11 thereto; and
- 12 (d) Has not received a similar bonus for such service from any other state;
- 13 (7) "Resident of the Commonwealth at the time of entry into the active service" means
- 14 any person who gave the Commonwealth of Kentucky, or any specific place in this
- 15 Commonwealth, as his or her place of residence at the time of entry. Conclusive
- 16 and exclusive evidence of the giving of place of residence shall be the official
- 17 records on file in the Department of Defense of the United States, or any official
- 18 record thereof in the files of the United States Department of Veterans Affairs; but
- 19 if it be shown to the satisfaction of the administrator that for any reason no such
- 20 record was made, or that it has been lost, misplaced, destroyed, or was in error, or
- 21 that an authenticated copy thereof cannot be obtained within a reasonable time,
- 22 other evidence of bona fide residence may be accepted if deemed sufficient by the
- 23 administrator;
- 24 (8) "Resident," in any context other than as in subsections (5) and (6) of this section,
- 25 means a legal resident as determined by generally established principles of law, as
- 26 may be defined, and subject to proof, according to the regulations the administrator
- 27 promulgates;

- 1 (9) "Beneficiary" means the following persons who were alive at the time of  
2 application, in this order: widow, if none to the child or children equally, if none to  
3 the mother and father equally, but if the father is dead, the mother, if living, shall  
4 take the whole amount; but if the mother is dead, the father, if living, shall take the  
5 whole amount;
- 6 (10) (a) "Widow" means a woman who was the wife of a qualified veteran at the time  
7 of his death;
- 8 (b) The term "widow" also includes "widower" in the case of a man who was the  
9 husband of a female qualified veteran at the time of her death;
- 10 (11) "Child" means a person:
- 11 (a) Who is under the age of eighteen (18) at the time application is made or who  
12 was under the age of eighteen (18) at the time of the veteran's death;
- 13 (b) Who, before attaining the age of eighteen (18), became permanently incapable  
14 of self-support; or
- 15 (c) Who, after attaining the age of eighteen (18) and until completion of  
16 education or training, but not after attaining the age of twenty-three (23), is  
17 pursuing a course of instruction at a bona fide educational institution; and  
18 who, in relationship to the veteran, is a legitimate child; a legally adopted  
19 child; a stepchild who is a member of a qualified veteran's household or was a  
20 member at the time of the veteran's death; or an illegitimate child, but, as to  
21 the alleged father, only if acknowledged in writing signed by him or if he had,  
22 before his death, been judicially decreed to be the father of such child;
- 23 (12) "Mother" means a mother, a mother through adoption, or a woman who for a period  
24 of not less than one (1) year stood in the relationship of a mother to a qualified  
25 veteran before his or her entry into active service in the Armed Forces, or if two (2)  
26 persons stood in such relationship for one (1) year or more, the person who last  
27 stood in such relationship before the veteran's last entry into active service in the

1 Armed Forces;

2 (13) "Father" means a father, a father through adoption, or a man who for a period of not  
3 less than one (1) year stood in the relationship of a father to a qualified veteran  
4 before his or her entry into active service in the Armed Forces, or if two (2) persons  
5 stood in such relationship for one (1) year or more, the person who last stood in  
6 such relationship before the veteran's last entry into active service in the Armed  
7 Forces;

8 (14) "In the continental United States" means any place in the District of Columbia and  
9 the states of the United States which are on the North American continent,  
10 exclusive of Alaska;

11 (15) "Outside the continental United States" means any place elsewhere than as defined  
12 in subsection (14) of this section;

13 (16) "Bonus" and "Vietnam veterans' bonus" mean the compensation authorized by KRS  
14 40.410 to 40.560;

15 (17) "Bonus claim" means a claim or potential claim for a Vietnam veterans' bonus; and

16 (18) "Claimant" means one who seeks to obtain payment of a bonus claim.

17 ➔Section 3. KRS 156.730 is amended to read as follows:

18 ARTICLE I

19 Purpose

20 It is the purpose of this compact to remove barriers to educational success imposed on  
21 children of military families because of frequent moves and deployment of their parents  
22 by:

23 A. Facilitating the timely enrollment of children of military families and ensuring that  
24 they are not placed at a disadvantage due to difficulty in the transfer of education  
25 records from the previous school district(s) or variations in entrance/age  
26 requirements;

27 B. Facilitating the student placement process through which children of military



- 1 families are not disadvantaged by variations in attendance requirements,  
2 scheduling, sequencing, grading, course content, or assessment;
- 3 C. Facilitating the qualification and eligibility for enrollment, educational programs,  
4 and participation in extracurricular academic, athletic, and social activities;
- 5 D. Facilitating the on-time graduation of children of military families;
- 6 E. Providing for promulgation and enforcement of administrative rules implementing  
7 the provisions of this compact;
- 8 F. Providing for the uniform collection and sharing of information between and among  
9 member states, schools, and military families under this compact;
- 10 G. Promoting coordination between this compact and other compacts affecting military  
11 children; and
- 12 H. Promoting flexibility and cooperation between the educational system, parents, and  
13 students in order to achieve educational success for students.

14 ARTICLE II

15 Definitions

16 As used in this compact, unless the context clearly requires a different construction:

- 17 A. "Active duty" means full-time duty status in the active uniformed service of the  
18 United States, including members of the National Guard and Reserve on active duty  
19 orders pursuant to 10 U.S.C. ~~chs. [secs.]~~ 1209 and 1211;
- 20 B. "Children of military families" means a school-aged child or children enrolled in  
21 kindergarten through twelfth (12th) grade, in the household of an active duty  
22 member;
- 23 C. "Compact commissioner" means the voting representative of each compacting state  
24 appointed pursuant to Article VIII of this compact;
- 25 D. "Deployment" means the period of one (1) month prior to a service member's  
26 departure from his or her home station on military orders through six (6) months  
27 after return to the home station;

- 1 E. "Educational records" means those official records, files, and data directly related to  
2 a student and maintained by the school or local education agency, including but not  
3 limited to records encompassing all the material kept in the student's cumulative  
4 folder such as general identifying data, records of attendance and of academic work  
5 completed, records of achievement and results of evaluative tests, health data,  
6 disciplinary status, test protocols, and individualized education programs;
- 7 F. "Extracurricular activities" means a voluntary activity sponsored by the school or  
8 local education agency or an organization sanctioned by the local education agency.  
9 Extracurricular activities include but are not limited to preparation for and  
10 involvement in public performances, contests, athletics competitions,  
11 demonstrations, displays, and club activities;
- 12 G. "Interstate Commission on Educational Opportunity for Military Children" means  
13 the commission created under Article IX of this compact, which is generally  
14 referred to as "Interstate Commission";
- 15 H. "Local education agency" means a public authority legally constituted by the state  
16 as an administrative agency to provide control of and direction for kindergarten  
17 through twelfth (12th) grade public educational institutions;
- 18 I. "Member state" means a state that has enacted this compact;
- 19 J. "Military installation" means a base, camp, post, station, yard, center, homeport  
20 facility for any ship, or other activity under the jurisdiction of the Department of  
21 Defense, including any leased facility, which is located within any of the several  
22 States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin  
23 Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S.  
24 Territory. Such term does not include any facility used primarily for civil works,  
25 rivers, and harbor projects, or flood control projects;
- 26 K. "Non-member state" means a state that has not enacted this compact;
- 27 L. "Receiving state" means the state to which a child of a military family is sent,

- 1 brought, or caused to be sent or brought;
- 2 M. "Rule" means a written statement by the Interstate Commission promulgated  
3 pursuant to Article XII of this compact that is of general applicability, implements,  
4 interprets, or prescribes a policy of the compact, or an organizational, procedural, or  
5 practice requirement of the Interstate Commission, and has the force and effect of  
6 statutory law in a member state, and includes the amendment, repeal, or suspension  
7 of an existing rule;
- 8 N. "Sending state" means the state from which a child of a military family is sent,  
9 brought, or caused to be sent or brought;
- 10 O. "State" means a state of the United States, the District of Columbia, the  
11 Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa,  
12 the Northern Marianas Islands, and any other U.S. Territory;
- 13 P. "Student" means the child of a military family for whom the local education agency  
14 receives public funding and who is formally enrolled in kindergarten through  
15 twelfth (12th) grade;
- 16 Q. "Transition" means the formal and physical process of transferring from school to  
17 school or the period of time in which a student moves from one school in the  
18 sending state to another school in the receiving state;
- 19 R. "Uniformed service(s)" means the Army, Navy, Air Force, Marine Corps, and  
20 Coast Guard, as well as the Commissioned Corps of the National Oceanic and  
21 Atmospheric Administration, and Public Health Services; and
- 22 S. "Veteran" means a person who served in the uniformed services and who was  
23 discharged or released therefrom under conditions other than dishonorable.

### ARTICLE III

#### Applicability

- 26 A. Except as otherwise provided in this section, this compact shall apply to the  
27 children of:

- 1       1. Active duty members of the uniformed services as defined in this compact,  
2           including members of the National Guard and Reserve on active duty orders  
3           pursuant to 10 U.S.C. chs.~~[secs.]~~ 1209 and 1211;
- 4       2. Members or veterans of the uniformed services who are severely injured and  
5           medically discharged or retired for a period of one (1) year after medical  
6           discharge or retirement; and
- 7       3. Members of the uniformed services who die on active duty or as a result of  
8           injuries sustained on active duty for a period of one (1) year after death.
- 9    B. The provisions of this interstate compact shall only apply to local education  
10       agencies as defined in this compact.
- 11   C. The provisions of this compact shall not apply to the children of:
  - 12       1. Inactive members of the National Guard and Military Reserves;
  - 13       2. Members of the uniformed services now retired, except as provided for in this  
14           section;
  - 15       3. Veterans of the uniformed services, except as provided for in this section; and
  - 16       4. Other U.S. Department of Defense personnel and other federal agency civilian  
17           and contract employees not defined as active duty members of the uniformed  
18           services.

#### ARTICLE IV

##### Educational Records and Enrollment

- 21   A. Unofficial or "hand-carried" educational records: In the event that official  
22       educational records cannot be released to the parents for the purpose of transfer, the  
23       custodian of the records in the sending state shall prepare and furnish to the parent a  
24       complete set of unofficial educational records containing uniform information as  
25       determined by the Interstate Commission. Upon receipt of the unofficial  
26       educational records by a school in the receiving state, the school shall enroll and  
27       appropriately place the student based on the information provided in the unofficial

1 records pending validation by the official records, as quickly as possible.

2 B. Official educational records/transcripts: Simultaneous with the enrollment and  
3 conditional placement of the student, the school in the receiving state shall request  
4 the student's official record from the school in the sending state. Upon receipt of  
5 this request, the school in the sending state will process and furnish the official  
6 educational records to the school in the receiving state within ten (10) days or  
7 within such time as is reasonably determined under the rules promulgated by the  
8 Interstate Commission.

9 C. Immunizations: Compacting states shall give thirty (30) days from the date of  
10 enrollment, or within such time as is reasonably determined under the rules  
11 promulgated by the Interstate Commission, for students to obtain any  
12 immunization(s) required by the receiving state. For a series of immunizations,  
13 initial vaccinations must be obtained within thirty (30) days or within such time as  
14 is reasonably determined under the rules promulgated by the Interstate  
15 Commission.

16 D. Kindergarten and first grade entrance age: Students shall be allowed to continue  
17 their enrollment at the grade level in the receiving state commensurate with their  
18 grade level (including kindergarten) from a local education agency in the sending  
19 state at the time of transition, regardless of age. A student that has satisfactorily  
20 completed the prerequisite grade level in the local education agency in the sending  
21 state shall be eligible for enrollment in the next highest grade level in the receiving  
22 state, regardless of age. A student transferring after the start of the school year in  
23 the receiving state shall enter the school in the receiving state on their validated  
24 level from an accredited school in the sending state.

## 25 ARTICLE V

### 26 Placement and Attendance

27 A. Course placement: When the student transfers before or during the school year, the

1 receiving state shall initially honor placement of the student in educational courses  
2 based on the student's enrollment in the sending state school and/or educational  
3 assessments conducted at the school in the sending state if the courses are offered.  
4 Course placement includes but is not limited to Honors, International  
5 Baccalaureate, Advance Placement, vocational, technical, and career pathways  
6 courses. Continuing the student's academic program from the previous school and  
7 promoting placement in academically and career challenging courses should be  
8 paramount when considering placement. This does not preclude the school in the  
9 receiving state from performing subsequent evaluations to ensure appropriate  
10 placement and continued enrollment of the student in the course(s).

11 B. Educational program placement: The receiving state shall initially honor placement  
12 of the student in educational programs based on current educational assessments  
13 conducted at the school in the sending state or participation/placement in like  
14 programs in the sending state. Such programs include but are not limited to:

- 15 1. Gifted and talented programs; and
- 16 2. English as a second language (ESL).

17 This does not preclude the school in the receiving state from performing subsequent  
18 evaluations to ensure appropriate placement of the student.

19 C. Special education services:

- 20 1. In compliance with the federal requirements of the Individuals with  
21 Disabilities Education Act (IDEA), 20 U.S.C.A. sec. 1400 et seq., the  
22 receiving state shall initially provide comparable services to a student with  
23 disabilities based on his or her current Individualized Education Program  
24 (IEP); and
- 25 2. In compliance with the requirements of Section 504 of the Rehabilitation Act,  
26 29 U.S.C.A. sec. 794, and with Title II of the Americans with Disabilities Act,  
27 42 U.S.C.A. secs. 12131 to 12165~~[12131-12165]~~, the receiving state shall

1 make reasonable accommodations and modifications to address the needs of  
 2 incoming students with disabilities, subject to an existing 504 or Title II Plan,  
 3 to provide the student with equal access to education. This does not preclude  
 4 the school in the receiving state from performing subsequent evaluations to  
 5 ensure appropriate placement of the student.

6 D. Placement flexibility: Local education agency administrative officials shall have  
 7 flexibility in waiving course or program prerequisites, or other preconditions for  
 8 placement in courses or programs offered under the jurisdiction of the local  
 9 education agency.

10 E. Absence as related to deployment activities: A student whose parent or legal  
 11 guardian is an active member of the uniformed services, as defined by this compact,  
 12 and has been called to active duty for, is on leave from, or immediately returned  
 13 from deployment to a combat zone or combat support posting, shall be granted  
 14 additional excused absences at the discretion of the local education agency  
 15 superintendent to visit with his or her parent or legal guardian relative to such leave  
 16 or deployment of the parent or guardian.

17 ARTICLE VI

18 Eligibility

19 A. Eligibility for enrollment:

20 1. Special power of attorney, relative to the guardianship of a child of a military  
 21 family and executed under applicable law shall be sufficient for the purposes  
 22 of enrollment and all other actions requiring parental participation and  
 23 consent;

24 2. A local education agency shall be prohibited from charging local tuition to a  
 25 transitioning military child placed in the care of a non-custodial parent or  
 26 other person standing in loco parentis who lives in the jurisdiction other than  
 27 that of the custodial parent; and





1 C. Transfers during senior year: Should a military student transferring at the beginning  
2 or during his or her senior year be ineligible to graduate from the receiving local  
3 education agency after all alternatives have been considered, the sending and  
4 receiving local education agencies shall ensure the receipt of diploma from the  
5 sending local education agency if the student meets the graduation requirements of  
6 the sending local education agency. In the event that one of the states in question is  
7 not a member of this compact, the member state shall use best efforts to facilitate  
8 the on-time graduation of the student in accordance with sections A and B of this  
9 Article.

## 10 ARTICLE VIII

### 11 State Coordination

12 A. Each member state shall, through the creation of a State Council or use of an  
13 existing body or board, provide for the coordination among its agencies of  
14 government, local education agencies, and military installations concerning the  
15 state's participation in, and compliance with, this compact and Interstate  
16 Commission activities. While each member state may determine the membership of  
17 its own State Council, its membership must include at least:

- 18 1. The state superintendent of education;
- 19 2. A superintendent of a school district with a high concentration of military  
20 children;
- 21 3. A representative from a military installation;
- 22 4. One legislative member each from the General Assembly's Senate and House  
23 of Representatives, to be chosen respectively by the President of the Senate  
24 and the Speaker of the House of Representatives. The respective leaders will  
25 then forward the names of their chosen members to the Governor. The  
26 members shall serve at the pleasure of the President and Speaker;
- 27 5. One representative from the executive branch of government; and

- 1           6.    Other offices and stakeholder groups the State Council deems appropriate.
- 2           A member state that does not have a school district deemed to contain a high
- 3           concentration of military children may appoint a superintendent from another
- 4           school district to represent local education agencies on the State Council.
- 5        B.    The State Council of each member state shall appoint or designate a military family
- 6           education liaison to assist military families and the state in facilitating the
- 7           implementation of this compact.
- 8        C.    The compact commissioner responsible for the administration and management of
- 9           the state's participation in the compact shall be appointed by the Governor or as
- 10          otherwise determined by each member state.
- 11       D.    The compact commissioner and the military family education liaison designated
- 12          herein shall be ex-officio members of the State Council, unless either is already a
- 13          voting member of the State Council.

14    ARTICLE IX

15                 Interstate Commission on Educational Opportunity for Military Children

16        The member states hereby create the "Interstate Commission on Educational Opportunity

17        for Military Children." The activities of the Interstate Commission are the formation of

18        public policy and are a discretionary state function. The Interstate Commission shall:

- 19        A.    Be a body corporate and joint agency of the member states and shall have all the
- 20           responsibilities, powers, and duties set forth herein, and such additional powers as
- 21           may be conferred upon it by a subsequent concurrent action of the respective
- 22           legislatures of the member states in accordance with the terms of this compact.
- 23        B.    Consist of one Interstate Commission voting representative from each member state
- 24           who shall be that state's compact commissioner.
- 25           1.    Each member state represented at a meeting of the Interstate Commission is
- 26           entitled to a vote.
- 27           2.    A majority of the total member states shall constitute a quorum for the

- 1 transaction of business, unless a larger quorum is required by the bylaws of  
2 the Interstate Commission.
- 3 3. A representative shall not delegate a vote to another member state. In the  
4 event the compact commissioner is unable to attend a meeting of the Interstate  
5 Commission, the Governor or State Council may delegate voting authority to  
6 another person from their state for a specified meeting.
- 7 4. The bylaws may provide for meetings of the Interstate Commission to be  
8 conducted by telecommunication or electronic communication.
- 9 C. Consist of ex-officio, non-voting representatives who are members of interested  
10 organizations. Such ex-officio members, as defined in the bylaws, may include but  
11 not be limited to members of the representative organizations of military family  
12 advocates, local education agency officials, parent and teacher groups, the U.S.  
13 Department of Defense, the Education Commission of the States, the Interstate  
14 Agreement on the Qualification of Educational Personnel, and other interstate  
15 compacts affecting the education of children of military members.
- 16 D. Meet at least once each calendar year. The chairperson may call additional meetings  
17 and, upon the request of a simple majority of the member states, shall call  
18 additional meetings.
- 19 E. Establish an executive committee, whose members shall include the officers of the  
20 Interstate Commission and such other members of the Interstate Commission as  
21 determined by the bylaws. Members of the executive committee shall serve a one  
22 (1) year term. Members of the executive committee shall be entitled to one (1) vote  
23 each. The executive committee shall have the power to act on behalf of the  
24 Interstate Commission, with the exception of rulemaking, during periods when the  
25 Interstate Commission is not in session. The executive committee shall oversee the  
26 day-to-day activities of the administration of the compact including enforcement  
27 and compliance with the provisions of the compact, its bylaws and rules, and other

1 such duties as deemed necessary. The U.S. Department of Defense shall serve as an  
2 ex-officio, nonvoting member of the executive committee.

3 F. Establish bylaws and rules that provide for conditions and procedures under which  
4 the Interstate Commission shall make its information and official records available  
5 to the public for inspection or copying. The Interstate Commission may exempt  
6 from disclosure information or official records to the extent they would adversely  
7 affect personal privacy rights or proprietary interests.

8 G. Give public notice of all meetings and all meetings shall be open to the public,  
9 except as set forth in the rules or as otherwise provided in the compact. The  
10 Interstate Commission and its committees may close a meeting, or portion thereof,  
11 where it determines by two-thirds vote that an open meeting would be likely to:

- 12 1. Relate solely to the Interstate Commission's internal personnel practices and  
13 procedures;
- 14 2. Disclose matters specifically exempted from disclosure by federal and state  
15 statute;
- 16 3. Disclose trade secrets or commercial or financial information which is  
17 privileged or confidential;
- 18 4. Involve accusing a person of a crime, or formally censuring a person;
- 19 5. Disclose information of a personal nature where disclosure would constitute a  
20 clearly unwarranted invasion of personal privacy;
- 21 6. Disclose investigative records compiled for law enforcement purposes; or
- 22 7. Specifically relate to the Interstate Commission's participation in a civil action  
23 or other legal proceeding.

24 H. Certify, for a meeting or portion of a meeting closed pursuant to this provision, by  
25 the Interstate Commission's legal counsel or designee, that the meeting may be  
26 closed and in so doing reference each relevant exemptible provision. The Interstate  
27 Commission shall keep minutes which shall fully and clearly describe all matters

1 discussed in a meeting and shall provide a full and accurate summary of actions  
2 taken, and the reasons therefore, including a description of the views expressed and  
3 the record of a roll call vote. All documents considered in connection with an action  
4 shall be identified in such minutes. All minutes and documents of a closed meeting  
5 shall remain under seal, subject to release by a majority vote or the Interstate  
6 Commission.

7 I. Collect standardized data concerning the educational transition of the children of  
8 military families under this compact as directed through its rules which shall  
9 specify the data to be collected, the means of collection, and data exchange and  
10 reporting requirements. Such methods of data collection, exchange, and reporting  
11 shall, in so far as is reasonably possible, conform to current technology and  
12 coordinate its information functions with the appropriate custodian of records as  
13 identified in the bylaws and rules.

14 J. Create a process that permits military officials, education officials, and parents to  
15 inform the Interstate Commission if and when there are alleged violations of the  
16 compact or its rules or when issues subject to the jurisdiction of the compact or its  
17 rules are not addressed by the state or local education agency. This subsection shall  
18 not be construed to create a private right of action against the Interstate  
19 Commission or any member state.

## 20 ARTICLE X

### 21 Powers and Duties of the Interstate Commission

22 The Interstate Commission shall have the following powers:

- 23 A. To provide for dispute resolution among member states;
- 24 B. To promulgate rules and take all necessary actions to effect the goals, purposes, and  
25 obligations as enumerated in this compact. The rules shall have the force and effect  
26 of statutory law and shall be binding in the compact states to the extent and in the  
27 manner provided in this compact;

- 1 C. To issue, upon request of a member state, advisory opinions concerning the  
2 meaning or interpretation of the interstate compact, its bylaws, rules, and actions;
- 3 D. To enforce compliance with the compact provisions, the rules promulgated by the  
4 Interstate Commission, and the bylaws, using all necessary and proper means,  
5 including but not limited to the use of judicial process;
- 6 E. To establish and maintain offices which shall be located within one or more of the  
7 member states;
- 8 F. To purchase and maintain insurance and bonds;
- 9 G. To borrow, accept, hire, or contract for services of personnel;
- 10 H. To establish and appoint committees including but not limited to an executive  
11 committee as required by Article IX, Section E, which shall have the power to act  
12 on behalf of the Interstate Commission in carrying out its powers and duties  
13 hereunder;
- 14 I. To elect or appoint such officers, attorneys, employees, agents, or consultants and  
15 to fix their compensation, define their duties and determine their qualifications to  
16 establish the Interstate Commission's personnel policies and programs relating to  
17 conflicts of interest, rates of compensation, and qualifications of personnel;
- 18 J. To accept any and all donations and grants of money, equipment, supplies,  
19 materials, and services, and to receive, utilize, and dispose of them;
- 20 K. To lease, purchase, accept contributions or donations of, or otherwise to own, hold,  
21 improve, or use any property, whether real, personal, or mixed;
- 22 L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose  
23 of any property, whether real, personal, or mixed;
- 24 M. To establish a budget and make expenditures;
- 25 N. To adopt a seal and bylaws governing the management and operation of the  
26 Interstate Commission;
- 27 O. To report annually to the legislatures, governors, judiciary, and state councils of the

- 1 member states concerning the activities of the Interstate Commission during the  
2 preceding year. Such reports shall also include any recommendations that may have  
3 been adopted by the Interstate Commission;
- 4 P. To coordinate education, training and public awareness regarding the compact, its  
5 implementation, and operation for officials and parents involved in such activity;
- 6 Q. To establish uniform standards for the reporting, collecting, and exchanging of data;
- 7 R. To maintain corporate books and records in accordance with the bylaws;
- 8 S. To perform such functions as may be necessary or appropriate to achieve the  
9 purposes of this compact; and
- 10 T. To provide for the uniform collection and sharing of information between and  
11 among member states, schools, and military families under this compact.

## 12 ARTICLE XI

### 13 Organization and Operation of the Interstate Commission

- 14 A. The Interstate Commission shall, by a majority of the members present and voting,  
15 within twelve (12) months after the first Interstate Commission meeting, adopt  
16 bylaws to govern its conduct as may be necessary or appropriate to carry out the  
17 purposes of the compact, including but not limited to:
- 18 1. Establishing the fiscal year of the Interstate Commission;
  - 19 2. Establishing an executive committee and such other committees as may be  
20 necessary;
  - 21 3. Providing for the establishment of committees and for governing any general  
22 or specific delegation of authority or function of the Interstate Commission;
  - 23 4. Providing reasonable procedures for calling and conducting meetings of the  
24 Interstate Commission and ensuring reasonable notice of each such meeting;
  - 25 5. Establishing the titles and responsibilities of the offices and staff of the  
26 Interstate Commission;
  - 27 6. Providing a mechanism for concluding the operations of the Interstate

1 Commission and the return of surplus funds that may exist upon the  
2 termination of the compact after the payment and reserving of all of its debts  
3 and obligations; and

4 7. Providing "start up" rules for initial administration of the compact.

5 B. The Interstate Commission shall, by a majority of the members, elect annually from  
6 among its members a chairperson, a vice-chairperson, and a treasurer, each of  
7 whom shall have such authority and duties as may be specified in the bylaws. The  
8 chairperson, or in the chairperson's absence or disability, the vice-chairperson, shall  
9 preside at all meetings of the Interstate Commission. The officers so elected shall  
10 serve without compensation or remuneration from the Interstate Commission;  
11 provided that, subject to the availability of budgeted funds, the officers shall be  
12 reimbursed for ordinary and necessary costs and expenses incurred by them in the  
13 performance of their responsibilities as officers of the Interstate Commission.

14 C. Executive Committee, Officers, and Personnel:

15 1. The executive committee shall have authority and duties as may be set forth in  
16 the bylaws, including but not limited to:

17 a. Managing the affairs of the Interstate Commission in a manner  
18 consistent with the bylaws and purposes of the Interstate Commission;

19 b. Overseeing an organizational structure within, and appropriate  
20 procedures for, the Interstate Commission to provide for the creation of  
21 rules, operating procedures, and administrative and technical support  
22 functions; and

23 c. Planning, implementing, and coordinating communications and  
24 activities with other state, federal, and local government organizations in  
25 order to advance the goals of the Interstate Commission.

26 2. The executive committee may, subject to the approval of the Interstate  
27 Commission, appoint or retain an executive director for such period, upon



1 such terms and conditions, and for such compensation, as the Interstate  
2 Commission may deem appropriate. The executive director shall serve as  
3 secretary to the Interstate Commission, but shall not be a member of the  
4 Interstate Commission. The executive director shall hire and supervise such  
5 other persons as may be authorized by the Interstate Commission.

6 D. The Interstate Commission's executive director and its employees shall be immune  
7 from suit and liability, either personally or in their official capacity, for a claim for  
8 damage to or loss of property or personal injury or other civil liability caused or  
9 arising out of or relating to an actual or alleged act, error, or omission that occurred,  
10 or that such person had a reasonable basis for believing occurred, within the scope  
11 of Interstate Commission employment, duties, or responsibilities; provided, that  
12 such person shall not be protected from suit or liability for damage, loss, injury, or  
13 liability caused by the intentional or willful and wanton misconduct of such person.

14 1. The liability of the Interstate Commission's executive director and employees  
15 or Interstate Commission representatives, acting within the scope of such  
16 person's employment or duties for acts, errors, or omissions occurring within  
17 such person's state may not exceed the limits of liability set forth under the  
18 constitution and laws of that state for state officials, employees, and agents.  
19 The Interstate Commission is considered to be an instrumentality of the states  
20 for the purposes of any such action. Nothing in this subsection shall be  
21 construed to protect such person from suit or liability for damage, loss, injury,  
22 or liability caused by intentional or willful and wanton misconduct of such  
23 person.

24 2. The Interstate Commission shall defend the executive director and its  
25 employees and, subject to the approval of the Attorney General or other  
26 appropriate legal counsel of the member state represented by an Interstate  
27 Commission representative, shall defend such Interstate Commission

1 representative in any civil action seeking to impose liability arising out of an  
2 actual or alleged act, error, or omission that occurred within the scope of  
3 Interstate Commission employment, duties, or responsibilities, or that the  
4 defendant had a reasonable basis for believing occurred within the scope of  
5 the Interstate Commission employment, duties, or responsibilities, provided  
6 that the actual or alleged act, error, or omission did not result from intentional  
7 or willful and wanton misconduct on the part of such persons.

- 8 3. To the extent not covered by the state involved, member state, or the Interstate  
9 Commission, the representatives or employees of the Interstate Commission  
10 shall be held harmless in the amount of a settlement or judgment, including  
11 attorney's fees and costs, obtained against such persons arising out of an  
12 actual or alleged act, error, or omission that occurred within the scope of  
13 Interstate Commission employment, duties, or responsibilities, or that such  
14 persons had a reasonable basis for believing occurred within the scope of  
15 Interstate Commission employment, duties, or responsibilities, provided that  
16 the actual or alleged act, error, or omission did not result from intentional or  
17 willful and wanton misconduct on the part of such persons.

## 18 ARTICLE XII

### 19 Rulemaking Functions of the Interstate Commission

- 20 A. Rulemaking Authority: The Interstate Commission shall promulgate reasonable  
21 rules in order to effectively and efficiently achieve the purposes of this compact.  
22 Notwithstanding the foregoing, in the event the Interstate Commission exercises its  
23 rulemaking authority in a manner that is beyond the scope of the purposes of this  
24 Act, or the powers granted hereunder, then such an action by the Interstate  
25 Commission shall be invalid and have no force or effect.
- 26 B. Rulemaking Procedure: Rules shall be made pursuant to a rulemaking process that  
27 substantially conforms to the "Model State Administrative Procedure Act," of 1981,

1 Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to  
2 the operations of the Interstate Commission.

- 3 C. Not later than thirty (30) days after a rule is promulgated, any person may file a  
4 petition for judicial review of the rule; provided, that the filing of such a petition  
5 shall not stay or otherwise prevent the rule from becoming effective unless the court  
6 finds that the petitioner has a substantial likelihood of success. The court shall give  
7 deference to the actions of the Interstate Commission consistent with applicable law  
8 and shall not find the rule to be unlawful if the rule represents a reasonable exercise  
9 of the Interstate Commission's authority.
- 10 D. If a majority of the legislatures of the compacting states rejects a Rule by enactment  
11 of a statute or resolution in the same manner used to adopt the compact, then such  
12 rule shall have no further force and effect in any compacting state.

### 13 ARTICLE XIII

#### 14 Oversight, Enforcement, and Dispute Resolution

- 15 A. Oversight:
- 16 1. The executive, legislative, and judicial branches of state government in each  
17 member state shall enforce this compact and shall take all actions necessary  
18 and appropriate to effectuate the compact's purposes and intent. The  
19 provisions of this compact and the rules promulgated hereunder shall have  
20 standing as statutory law.
- 21 2. All courts shall take judicial notice of the compact and the rules in any  
22 judicial or administrative proceeding in a member state pertaining to the  
23 subject matter of this compact which may effect the powers, responsibilities,  
24 or actions of the Interstate Commission.
- 25 3. The Interstate Commission shall be entitled to receive all service of process in  
26 any such proceeding, and shall have standing to intervene in the proceeding  
27 for all purposes. Failure to provide service of process to the Interstate

1 Commission shall render a judgment or order void as to the Interstate  
2 Commission, this compact, or promulgated rules.

3 B. Default, Technical Assistance, Suspension, and Termination - If the Interstate  
4 Commission determines that a member state has defaulted in the performance of its  
5 obligations or responsibilities under this compact, the bylaws, or promulgated rules,  
6 the Interstate Commission shall:

7 1. Provide written notice to the defaulting state and other member states of the  
8 nature of default, the means of curing the default, and any action taken by the  
9 Interstate Commission. The Interstate Commission shall specify the  
10 conditions by which the defaulting state must cure its default; and

11 2. Provide remedial training and specific technical assistance regarding the  
12 default.

13 3. If the defaulting state fails to cure the default, the defaulting state shall be  
14 terminated from the compact upon an affirmative vote of a majority of the  
15 member states and all rights, privileges, and benefits conferred by this  
16 compact shall be terminated from the effective date of termination. A cure of  
17 the default does not relieve the offending state of obligations or liabilities  
18 incurred during the period of default.

19 4. Suspension or termination of membership in the compact shall be imposed  
20 only after all other means of securing compliance have been exhausted.  
21 Notice of intent to suspend or terminate shall be given by the Interstate  
22 Commission to the Governor, the majority and minority leaders of the  
23 defaulting state's legislature, and each of the member states.

24 5. The state which has been suspended or terminated is responsible for all  
25 assessments, obligations, and liabilities incurred through the effective date of  
26 suspension or termination, including obligations the performance of which  
27 extends beyond the effective date of suspension or termination.

1           6.    The Interstate Commission shall not bear any costs relating to any state that  
2                    has been found to be in default or which has been suspended or terminated  
3                    from the compact unless otherwise mutually agreed upon in writing between  
4                    the Interstate Commission and the defaulting state.

5           7.    The defaulting state may appeal the action of the Interstate Commission by  
6                    petitioning the U.S. District Court for the District of Columbia or the federal  
7                    district where the Interstate Commission has its principal offices. The  
8                    prevailing party shall be awarded all costs of such litigation, including  
9                    reasonable attorney's fees.

10   C.   Dispute Resolution:

11           1.    The Interstate Commission shall attempt, upon the request of a member state,  
12                    to resolve disputes which are subject to the compact and which may arise  
13                    among member states and between member and non-member states.

14           2.    The Interstate Commission shall promulgate a rule providing for both  
15                    mediation and binding dispute resolution for disputes as appropriate.

16   D.   Enforcement:

17           1.    The Interstate Commission, in the reasonable exercise of its discretion, shall  
18                    enforce the provisions and rules of this compact.

19           2.    The Interstate Commission may by majority vote of the members initiate legal  
20                    action in the United States District Court for the District of Columbia or, at  
21                    the discretion of the Interstate Commission, in the federal district where the  
22                    Interstate Commission has its principal offices, to enforce compliance with  
23                    the provisions of the compact, its promulgated rules, and bylaws against a  
24                    member state in default. The relief sought may include both injunctive relief  
25                    and damages. In the event judicial enforcement is necessary the prevailing  
26                    party shall be awarded all costs of such litigation, including reasonable  
27                    attorney's fees.



- 1 A. Any state is eligible to become a member state.
- 2 B. The compact shall become effective and binding upon legislative enactment of the  
3 compact into law by no less than ten (10) of the states. The effective date shall be  
4 no earlier than December 1, 2007. Thereafter it shall become effective and binding  
5 as to any other member state upon enactment of the compact into law by that state.  
6 The governors of non-member states or their designees shall be invited to  
7 participate in the activities of the Interstate Commission on a non-voting basis prior  
8 to adoption of the compact by all states.
- 9 C. The Interstate Commission may propose amendments to the compact for enactment  
10 by the member states. No amendment shall become effective and binding upon the  
11 Interstate Commission and the member states unless and until it is enacted into law  
12 by unanimous consent of the member states.

## 13 ARTICLE XVI

### 14 Withdrawal and Dissolution

- 15 A. Withdrawal:
- 16 1. Once effective, the compact shall continue in force and remain binding upon  
17 each and every member state, provided that a member state may withdraw  
18 from the compact by specifically repealing the statute which enacted the  
19 compact into law.
- 20 2. Withdrawal from this compact shall be by the enactment of a statute repealing  
21 the same, but shall not take effect until one (1) year after the effective date of  
22 such statute and until written notice of the withdrawal has been given by the  
23 withdrawing state to the Governor of each other member state jurisdiction.
- 24 3. The withdrawing state shall immediately notify the chairperson of the  
25 Interstate Commission in writing upon the introduction of legislation  
26 repealing this compact in the withdrawing state. The Interstate Commission  
27 shall notify the other member states of the withdrawing state's intent to

1 withdraw within sixty (60) days of its receipt thereof.

2 4. The withdrawing state is responsible for all assessments, obligations, and  
3 liabilities incurred through the effective date of withdrawal, including  
4 obligations the performance of which extends beyond the effective date of  
5 withdrawal.

6 5. Reinstatement following withdrawal of a member state shall occur upon the  
7 withdrawing state reenacting the compact or upon such later date as  
8 determined by the Interstate Commission.

9 B. Dissolution of Compact:

10 1. This compact shall dissolve effective upon the date of the withdrawal or  
11 default of the member state which reduces the membership in the compact to  
12 one (1) member state.

13 2. Upon the dissolution of this compact, the compact becomes null and void and  
14 shall be of no further force or effect, and the business and affairs of the  
15 Interstate Commission shall be concluded and surplus funds shall be  
16 distributed in accordance with the bylaws.

## 17 ARTICLE XVII

### 18 Severability and Construction

19 A. The provisions of this compact shall be severable, and if any phrase, clause,  
20 sentence, or provision is deemed unenforceable, the remaining provisions of the  
21 compact shall be enforceable.

22 B. The provisions of this compact shall be liberally construed to effectuate its  
23 purposes.

24 C. Nothing in this compact shall be construed to prohibit the applicability of other  
25 interstate compacts to which the states are members.

## 26 ARTICLE XVIII

### 27 Binding Effect of Compact and Other Laws



## 1 A. Other Laws:

2 1. Nothing herein prevents the enforcement of any other law of a member state  
3 that is not inconsistent with this compact.

4 2. All member states' laws conflicting with this compact are superseded to the  
5 extent of the conflict.

## 6 B. Binding Effect of the Compact:

7 1. All lawful actions of the Interstate Commission, including all rules and  
8 bylaws promulgated by the Interstate Commission, are binding upon the  
9 member states.

10 2. All agreements between the Interstate Commission and the member states are  
11 binding in accordance with their terms.

12 3. In the event any provision of this compact exceeds the constitutional limits  
13 imposed on the legislature of any member state, such provision shall be  
14 ineffective to the extent of the conflict with the constitutional provision in  
15 question in that member state.

16 ➔Section 4. KRS 156.735 is amended to read as follows:

17 (1) Notwithstanding any other statutes to the contrary, students of civilian military  
18 employees and of persons serving in the National Guard and Reserves shall be  
19 afforded the same rights as students of military families under KRS 156.730 if the  
20 parents are required to move to perform their job responsibilities resulting in the  
21 students having to change schools.

22 (2) As used in this section, "student" means the child of a civilian military employee or  
23 National Guard or Reserve personnel for whom the local education agency  
24 receives public funding and who is formally enrolled in kindergarten through  
25 twelfth grade.

26 ➔Section 5. KRS 154.12-203 is amended to read as follows:

27 (1) There is created the Kentucky Commission on Military Affairs. The commission

1 shall be a separate administrative body of state government within the meaning of  
2 KRS Chapter 12.

- 3 (2) It shall be the purpose of the Kentucky Commission on Military Affairs to:
- 4 (a) Address matters of military significance to Kentucky;
  - 5 (b) Maintain a cooperative and constructive relationship between state agencies  
6 and the military entities in Kentucky, as necessary to ensure coordination and  
7 implementation of unified, comprehensive, statewide strategies involved with,  
8 or affected by, the military;
  - 9 (c) Advise the Governor, the General Assembly, the Kentucky congressional  
10 delegation, and other appropriate government officials on all matters in which  
11 the military services and the Commonwealth have mutual interests, needs, and  
12 concerns;
  - 13 (d) Take action to promote and optimize state and Department of Defense  
14 initiatives that will improve the military value of Kentucky's National Guard,  
15 active, and reserve military force structure and installations, and improve the  
16 quality of life for military personnel residing in the Commonwealth;
  - 17 (e) Coordinate, as necessary, the state's interest in future Department of Defense  
18 base closure and restructuring activities;
  - 19 (f) Recommend state, federal, and local economic development projects which  
20 would promote, foster, and support economic progress through military  
21 presence in the Commonwealth;
  - 22 (g) Promote and assist the private sector in developing spin-off investments,  
23 employment, and educational opportunities associated with high-technology  
24 programs and activities at Kentucky's military installations;
  - 25 (h) Recommend to the Kentucky Economic Development Partnership the long-  
26 range options and potential for the defense facilities located in Kentucky;
  - 27 (i) Develop strategies to encourage military personnel to retire and relocate in

- 1 Kentucky and promote those leaving the military as a viable quality  
2 workforce for economic development and industrial recruitment; and
- 3 (j) Allocate available grant money to qualified applicants to further the purposes  
4 of paragraphs (a) to (i) of this subsection.
- 5 (3) The Kentucky Commission on Military Affairs shall consist of:
- 6 (a) The Governor or a designated representative;
- 7 (b) The secretary of the Cabinet for Economic Development or a designated  
8 representative;
- 9 (c) The adjutant general of the Commonwealth or a designated representative;
- 10 (d) The executive director of the Office of Homeland Security or a designated  
11 representative;
- 12 (e) The secretaries of the following cabinets or their designees:
- 13 1. Finance and Administration;
- 14 2. Justice and Public Safety;
- 15 3. Energy and Environment;
- 16 4. Transportation;
- 17 5. Health and Family Services;
- 18 6. Personnel;
- 19 7. Education and Labor;
- 20 8. Public Protection; and
- 21 9. Tourism, Arts and Heritage;
- 22 (f) The Attorney General or a designated representative;
- 23 (g) The commissioner of the Department of Veterans' Affairs or a designated  
24 representative;
- 25 (h) The executive director of the Kentucky Commission on Military Affairs or a  
26 designated representative;
- 27 (i) The chairperson of the Kentucky Committee for Employer Support of the

- 1 Guard and Reserve;
- 2 (j) Kentucky's Civilian Aides to the Secretary of the United States Army;
- 3 (k) The chairperson of the Senate Veterans, Military Affairs, and Public  
4 Protection Committee and the chairperson of the House of Representatives  
5 Veterans, Military Affairs, and Public Safety Committee;
- 6 (l) The Chief Justice or a designated representative;
- 7 (m) The commander or the designee of the commander of each of the following as  
8 nonvoting, ex officio members:
- 9 1. U.S. Army Cadet Command;
  - 10 2. U.S. Army Human Resources Command;
  - 11 3. U.S. Army Recruiting Command;
  - 12 4. 84th Training Command;
  - 13 5. One Hundredth Division (Institutional Training);
  - 14 6. 101st Airborne Division;
  - 15 7. Blue Grass Army Depot;
  - 16 8. Fort Campbell Garrison;
  - 17 9. Fort Knox Garrison;
  - 18 10. U.S. Army Reserve Aviation Command~~[11th Theatre Aviation~~  
19 ~~Command, U.S. Army Reserve];~~
  - 20 11. U.S. Army Corps of Engineers, Louisville District;
  - 21 12. Adjutant General of the U.S. Army;
  - 22 13. U.S. Coast Guard Sector Ohio Valley;
  - 23 14. First Army Division East;
  - 24 15. 1st Theater Sustainment Command; and
  - 25 16. Fifth (V) Corps; and
- 26 (n) Five (5) at-large members appointed by the Governor, who shall be residents  
27 of counties significantly impacted by military installations.

- 1 (4) The terms of the five (5) at-large members shall be staggered so that two (2)  
2 appointments shall expire at two (2) years, one (1) appointment shall expire at three  
3 (3) years, and two (2) appointments shall expire at four (4) years, from the dates of  
4 initial appointment.
- 5 (5) (a) The commission shall establish an executive committee consisting of the  
6 secretary of the Cabinet for Economic Development, the adjutant general of  
7 the Commonwealth, the commissioner of the Department of Veterans' Affairs,  
8 the executive director of the Kentucky Commission on Military Affairs, and  
9 the five (5) at-large members. The chair and vice chair of the Kentucky  
10 Commission on Military Affairs shall be appointed by the Governor from  
11 among the members of the executive committee.
- 12 (b) The chair and vice chair of the commission shall also serve as chair and vice  
13 chair of the executive committee.
- 14 (c) The executive committee shall serve as the search committee for an executive  
15 director of the commission and shall have any other authority the commission  
16 delegates to it.
- 17 (6) The commission shall meet one (1) time each year, and may meet at other times on  
18 call of the chair, to establish the commission's goals and to review issues identified  
19 and recommendations made by the executive committee. A majority of the  
20 members shall constitute a quorum for the transaction of the commission's business.  
21 Members' designees shall have voting privileges at commission meetings.
- 22 (7) Members of the commission shall serve without compensation, but shall be  
23 reimbursed for their necessary travel expenses actually incurred in the discharge of  
24 their duties on the commission, subject to Finance and Administration Cabinet  
25 administrative regulations.
- 26 (8) The commission may establish committees or work groups composed of  
27 commission members and citizens as necessary to advise the commission in

1 carrying out its responsibilities, duties, and powers. Citizen members of committees  
2 or work groups shall not have a vote.

3 (9) The commission may promulgate necessary administrative regulations as prescribed  
4 by KRS Chapter 13A.

5 (10) The commission may adopt bylaws and operating policies necessary for its efficient  
6 and effective operation.

7 (11) There shall be an executive director, who shall be the administrative head and chief  
8 executive officer of the commission, recommended by the executive committee,  
9 approved by the commission, and appointed by the Governor. The executive  
10 director shall have authority to hire staff, contract for services, expend funds, and  
11 operate the normal business activities of the commission.

12 (12) The Kentucky Commission on Military Affairs and its executive committee shall be  
13 an independent agency attached to the Office of the Governor.

14 ➔Section 6. KRS 186.041 is amended to read as follows:

15 (1) Each initial and renewal application by a person who meets the criteria of paragraph  
16 (a) of this section and each initial application by a person who meets the criteria of  
17 paragraph (b), (c), or (d) of this section for a special military license plate shall be  
18 accompanied by proof as set forth in subsection (10) of this section that the person  
19 is associated with the United States Army, United States Navy, United States Air  
20 Force, United States Marine Corps, United States Space Force, United States Coast  
21 Guard, United States Coast Guard Auxiliary, Kentucky National Guard, Merchant  
22 Marines with service between December 7, 1941, and August 15, 1945, or Civil Air  
23 Patrol in one (1) of the following ways:

24 (a) A member of the Armed Forces of the United States;

25 (b) A retired member;

26 (c) A member of the National Guard or Reserve component who has completed  
27 his or her term of service, or has retired with a minimum of twenty (20) years

1 of service; or

2 (d) A veteran who received a discharge under honorable conditions, or the  
3 veteran's surviving spouse, and:

4 1. Performed one hundred eighty (180) days of active-duty service;

5 2. Received an early release due to injuries or other medical condition, or  
6 at the convenience of the service;

7 3. Received a hardship discharge;

8 4. Was separated or retired due to a disability; or

9 5. Was determined to have a service-connected disability incurred during  
10 the enlistment.

11 (2) The member, retired member, veteran, reservist, or his or her spouse who is eligible  
12 under subsection (9) of this section may purchase an unlimited number of special  
13 military-related license plates described in subsection (1) of this section, annually  
14 for vehicles they own or lease. A disabled veterans license plate shall expire on July  
15 31.

16 (3) A recipient of the Distinguished Service Cross, Navy Cross, or Air Force Cross  
17 shall be eligible for a Service Cross license plate upon submission of an application  
18 to the Kentucky Department of Veterans' Affairs. The recipient shall be required to  
19 include with the initial application for a Service Cross license plate a copy of the  
20 general order that authorized the award and the recipient's Department of Defense  
21 form number 214. The Department of Veterans' Affairs shall verify the  
22 documentation submitted with the application for a Service Cross license plate, and  
23 if the individual applying for the plate is confirmed to be a recipient of the  
24 Distinguished Service Cross, Navy Cross, or Air Force Cross, the Department of  
25 Veterans' Affairs shall submit the applicant's name to the Transportation Cabinet's  
26 Division of Motor Vehicle Licensing not later than September 1 preceding the year  
27 that the Service Cross license plate is to be initially issued or renewed. When the

1 Service Cross license plate is ready, the plate shall be sent to the county clerk in the  
2 county of the applicant's residence. The Transportation Cabinet's Division of Motor  
3 Vehicle Licensing shall inform each applicant in writing that the Service Cross  
4 license plate is ready and may be picked up at the county clerk's office. The  
5 Transportation Cabinet shall prescribe the type of application form required by this  
6 subsection and shall supply the Department of Veterans' Affairs with the  
7 application form required by this subsection.

8 (4) A person who is a former prisoner of the enemy during World War I, World War II,  
9 the Korean War, or the Vietnam War, or the spouse of a deceased former prisoner  
10 of war, shall be eligible for a former prisoner of war license plate by submitting  
11 written proof from the United States Department of Veterans Affairs or other  
12 appropriate federal agency stating the period of time the person or person's spouse  
13 was a prisoner of war. If a former prisoner of war dies with a vehicle licensed as  
14 authorized under this section, the person's surviving spouse may retain the license  
15 plate for use on the same vehicle or on another vehicle that complies with KRS  
16 186.164(7).

17 (5) A person who is certified by the Kentucky chapter of the Pearl Harbor Survivors  
18 Association as being a survivor of the attack on Pearl Harbor shall be eligible for a  
19 Pearl Harbor license plate and shall be required to attach to the special military-  
20 related license plate application written evidence from the Kentucky chapter of the  
21 Pearl Harbor Survivors Association that the person:

- 22 (a) Was a member of the United States Armed Forces on December 7, 1941;  
23 (b) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45  
24 a.m., Hawaii time, at Pearl Harbor, the island of Oahu, or offshore at a  
25 distance not to exceed three (3) miles;  
26 (c) Was discharged honorably from the United States Armed Forces; and  
27 (d) Is certified by the Kentucky chapter of the Pearl Harbor Survivors



1 Association.

2 (6) A person who is eligible to receive a Gold Star Mothers, Gold Star Fathers, or Gold  
3 Star Spouses license plate under KRS 186.164(15)(a) may receive up to two (2)  
4 Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses license plates free of  
5 charge and may purchase additional license plates by paying the same fee as for  
6 special military-related plates issued under KRS 186.162(2)(d) annually for  
7 vehicles he or she owns or leases.

8 (7) The surviving spouse of a Purple Heart recipient, or a Kentucky National Guard  
9 member or a retired member, who possessed a vehicle licensed with the Purple  
10 Heart recipient special license plate or the Kentucky National Guard special license  
11 plate, may retain the license plate for use on the same vehicle or another vehicle  
12 that complies with KRS 186.164(7). The surviving spouse may renew the license  
13 plate indefinitely, provided the appropriate registration fee is paid annually.

14 (8) A person who is attending or who is a graduate of the United States Air Force  
15 Academy, the United States Military Academy, the United States Naval Academy,  
16 the United States Coast Guard Academy, or the United States Merchant Marine  
17 Academy shall be eligible for a special military service academy license plate. A  
18 special military service academy license plate under this subsection shall use the  
19 same plate template as the standard special military license plate under subsection  
20 (1) of this section, with stickers to identify the various service academies. The  
21 Transportation Cabinet shall promulgate administrative regulations pursuant to  
22 KRS Chapter 13A to establish the proof required to demonstrate current attendance  
23 at or graduation from a service academy. An eligible applicant may receive up to  
24 two (2) special military service academy license plates.

25 (9) (a) The legally married spouse of a member of the Armed Forces of the United  
26 States who meets the criteria for a special military license plate under  
27 subsection (1) of this section shall be eligible for a special military license

1 plate. A special military license plate under this subsection shall use the same  
2 template as the standard special military license plate under subsection (1) of  
3 this section, with a sticker identifying the plate as that of a military spouse.

4 (b) An applicant who is eligible for a special military license plate under this  
5 subsection shall present as proof of eligibility an original or copy of his or her  
6 marriage certificate establishing marriage to the member of the Armed Forces  
7 of the United States and an original or copy of one (1) of the following:

- 8 1. His or her unexpired DD-1173 form; or
- 9 2. Any identification document outlined in subsection (10) of this section  
10 issued to his or her spouse.

11 (10) Prior to receiving a special military-related plate requested under subsection (1) of  
12 this section, the applicant shall present as proof of eligibility, an original or copy of  
13 his or her:

- 14 (a) Unexpired Veteran Identification Card or Veteran Health Identification Card  
15 issued by the United States Department of Veterans Affairs;
- 16 (b) DD-2, DD-214, DD-256, DD-257, or NGB-22 form; or
- 17 (c) Unexpired Geneva Conventions Identification Card issued by the United  
18 States Department of Defense.

19 ➔Section 7. KRS 186.162 is amended to read as follows:

20 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and  
21 186.174:

- 22 (a) "Special license plate" means a unique license plate issued under this chapter  
23 to a group or organization that readily identifies the operator of the motor  
24 vehicle or motorcycle bearing the plate as a member of a group or  
25 organization, or a supporter of the work, goals, or mission of a group or  
26 organization. The term shall not include regular license plates issued under  
27 KRS 186.240;

- 1 (b) "Street rod" means a modernized private passenger motor vehicle  
 2 manufactured prior to the year 1949, or designed or manufactured to resemble  
 3 a vehicle manufactured prior to 1949;
- 4 (c) "SF" means the portion of an initial or renewal fee to obtain a special license  
 5 plate that is dedicated for use by the Transportation Cabinet;
- 6 (d) "CF" means the county clerk's fee for issuing a motor vehicle registration as  
 7 established under KRS 186.040(1). If a CF amount is charged for a license  
 8 plate listed in this section, the applicant for that plate shall also pay the fees  
 9 identified in KRS 186.040(6). If a CF amount is not charged, the applicant  
 10 shall not be required to pay those fees; and
- 11 (e) "EF" means the portion of an initial or renewal fee to obtain a special license  
 12 plate that is mandated by this chapter to be dedicated for use by a particular  
 13 group or organization.
- 14 (2) The initial purchase fee and renewal fee for a special license plate created under this  
 15 chapter shall be as established in this subsection and includes the name of group or  
 16 organization and the total initial and renewal fee required for the plate. The amount  
 17 in parentheses indicates how the total fee is required to be divided:
- 18 (a) Disabled veterans who receive assistance to purchase a vehicle from the  
 19 United States Department of Veterans' Affairs, veterans declared by the  
 20 United States Department of Veterans' Affairs to be one hundred percent  
 21 (100%) service-connected disabled, and recipients of the Congressional  
 22 Medal of Honor:
- 23 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).  
 24 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
- 25 (b) Former prisoners of war and survivors of Pearl Harbor:
- 26 1. Initial Fee: \$23 (\$12 SF/\$6 CF/\$5 EF to the veterans'  
 27 program trust fund established under KRS 40.460).

1           2.   Renewal Fee:   \$6           (\$0 SF/\$6 CF/\$0 EF).

2           (c)   Members of the Kentucky National Guard and recipients of the Purple Heart:

3           1.   Initial Fee:       \$23           (\$12 SF/\$6 CF/\$5 EF to the veterans'  
4                 program trust fund established under KRS 40.460).

5           2.   Renewal Fee:   \$11           (\$0 SF/\$6 CF/\$5 EF to the veterans'  
6                 program trust fund established under KRS 40.460).

7           (d)   Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary  
8                 members of the United States Army, Navy, Air Force, Marine Corps, **Space**  
9                 **Force**, or Coast Guard; Merchant Marines who served between December 7,  
10                 1941, and August 15, 1945; recipients of the Silver Star Medal, **the Legion of**  
11                 **Merit Medal**, the Distinguished Flying Cross, the Air Medal, the Combat  
12                 Action Badge, the Combat Infantry Badge, or the Bronze Star Medal; persons  
13                 who wish to receive Gold Star Mothers, Gold Star Fathers, or Gold Star  
14                 Spouses license plates beyond the two (2) exempted from fees under KRS  
15                 186.041(6); individuals eligible for a special military service academy license  
16                 plate under KRS 186.041(8); individuals eligible for a special military unit  
17                 license plate under KRS 186.163; and disabled veterans who have been  
18                 declared to be between fifty percent (50%) and ninety-nine percent (99%)  
19                 service-connected disabled by the United States Department of Veterans'  
20                 Affairs:

21           1.   Initial Fee:       \$23           (\$12 SF/\$6 CF/\$5 EF to the veterans'  
22                 program trust fund established under KRS 40.460).

23           2.   Renewal Fee:   \$23           (\$12 SF/\$6 CF/\$5 EF to the veterans'  
24                 program trust fund established under KRS 40.460).

25           (e)   Recipients of the Distinguished Service Cross, Navy Cross, or Air Force  
26                 Cross:

27           1.   Initial Fee:       \$6           (\$0 SF/\$6 CF/\$0 EF).

- 1           2.   Renewal Fee:   \$6           (\$0 SF/\$6 CF/\$0 EF).
- 2           (f)   Disabled license plates:
- 3           1.   Initial Fee:       \$18           (\$12 SF/\$6 CF/\$0 EF).
- 4           2.   Renewal Fee:     \$18           (\$12 SF/\$6 CF/\$0 EF).
- 5           (g)   Historic vehicles:
- 6           1.   Initial Fee for two plates:   \$56   (\$50 SF/\$6 CF/\$0 EF).
- 7           2.   Renewal Fee: Do not renew annually.
- 8           (h)   Members of Congress:
- 9           1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).
- 10          2.   Renewal Fee:     \$23           (\$12 SF/\$6 CF/\$5 EF to the veterans'
- 11                    program trust fund established under KRS 40.460).
- 12          (i)   Firefighters:
- 13          1.   Initial Fee:       \$28           (\$12 SF/\$6 CF/\$10 EF to the Kentucky
- 14                    Firefighters Association).
- 15          2.   Renewal Fee:     \$28           (\$12 SF/\$6 CF/\$10 EF to the Kentucky
- 16                    Firefighters Association).
- 17          (j)   Emergency management:
- 18          1.   Initial Fee:       \$31           (\$25 SF/\$6 CF/\$0 EF).
- 19          2.   Renewal Fee:     \$18           (\$12 SF/\$6 CF/\$0 EF).
- 20          (k)   Fraternal Order of Police:
- 21          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the Kentucky
- 22                    FOP Death Benefit Fund).
- 23          2.   Renewal Fee:     \$28           (\$12 SF/\$6 CF/\$10 EF to the Kentucky
- 24                    FOP Death Benefit Fund).
- 25          (l)   Law Enforcement Memorial:
- 26          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the Kentucky
- 27                    Law Enforcement Memorial Foundation, Inc.).

- 1           2.   Renewal Fee:   \$28           (\$12 SF/\$6 CF/\$10 EF to the Kentucky  
2                    Law Enforcement Memorial Foundation, Inc.).
- 3           (m) Personalized plates:
- 4           1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).  
5           2.   Renewal Fee:     \$43           (\$37 SF/\$6 CF/\$0 EF).
- 6           (n) Street rods:
- 7           1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).  
8           2.   Renewal Fee:     \$18           (\$12 SF/\$6 CF/\$0 EF).
- 9           (o) Nature plates:
- 10          1.   Initial Fee:       \$28           (\$12 SF/\$6 CF/\$10 EF to Kentucky  
11                   Heritage Land Conservation Fund established under KRS 146.570).  
12          2.   Renewal Fee:     \$28           (\$12 SF/\$6 CF/\$10 EF to Kentucky  
13                   Heritage Land Conservation Fund established under KRS 146.570).
- 14          (p) Amateur radio:
- 15          1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).  
16          2.   Renewal Fee:     \$18           (\$12 SF/\$6 CF/\$0 EF).
- 17          (q) Kentucky General Assembly:
- 18          1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).  
19          2.   Renewal Fee:     \$23           (\$12 SF/\$6 CF/\$5 EF to the veterans'  
20                   program trust fund established under KRS 40.460).
- 21          (r) Kentucky Court of Justice:
- 22          1.   Initial Fee:       \$43           (\$37 SF/\$6 CF/\$0 EF).  
23          2.   Renewal Fee:     \$11           (\$0 SF/\$6 CF/\$5 EF to the veterans'  
24                   program trust fund established under KRS 40.460).
- 25          (s) Masons:
- 26          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the Masonic  
27                   Homes of Kentucky).

- 1           2.   Renewal Fee:   \$28           (\$12 SF/\$6 CF/\$10 EF to the Masonic  
2                   Homes of Kentucky).
- 3           (t)   Collegiate plates:
- 4           1.   Initial Fee:       \$53           (\$37 SF/\$6 CF/\$10 EF to the general  
5                   scholarship fund of the university whose name will be borne on the  
6                   plate).
- 7           2.   Renewal Fee:   \$28           (\$12 SF/\$6 CF/\$10 EF to the general  
8                   scholarship fund of the university whose name will be borne on the  
9                   plate).
- 10          (u)   Independent Colleges:
- 11          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the Association of  
12                   Independent Kentucky Colleges and Universities for distribution to the  
13                   general scholarship funds of the Association's members).
- 14          2.   Renewal Fee:   \$28           (\$12 SF/\$6 CF/\$10 EF to the Association of  
15                   Independent Kentucky Colleges and Universities for distribution to the  
16                   general scholarship funds of the Association's members).
- 17          (v)   Child Victims:
- 18          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the child victims'  
19                   trust fund established under KRS 41.400).
- 20          2.   Renewal Fee:   \$23           (\$12 SF/\$6 CF/\$5 EF to the child victims'  
21                   trust fund established under KRS 41.400).
- 22          (w)   Kentucky Horse Council:
- 23          1.   Initial Fee:       \$41           (\$25 SF/\$6 CF/\$10 EF to the Kentucky  
24                   Horse Council).
- 25          2.   Renewal Fee:   \$23           (\$12 SF/\$6 CF/\$5 EF to the Kentucky  
26                   Horse Council).
- 27          (x)   Ducks Unlimited:

- 1           1.    Initial Fee:       \$41       (\$25 SF/\$6 CF/\$10 EF to Kentucky Ducks  
2                    Unlimited).
- 3           2.    Renewal Fee:     \$28       (\$12 SF/\$6 CF/\$10 EF to Kentucky Ducks  
4                    Unlimited).
- 5       (y) Spay neuter:
- 6           1.    Initial Fee:       \$28       (\$12 SF/\$6 CF/\$10 EF to the animal control  
7                    and care fund established under KRS 258.119).
- 8           2.    Renewal Fee:     \$23       (\$12 SF/\$6 CF/\$5 EF to the animal control  
9                    and care fund established under KRS 258.119).
- 10       (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses:
- 11           1.    Initial Fee:       \$0       (\$0 SF/\$0 CF/ \$0 EF).
- 12           2.    Renewal Fee:     \$0       (\$0 SF/\$0 CF/ \$0 EF).
- 13           3.    A person may receive a maximum of two (2) plates under this paragraph  
14                    free of charge and may purchase additional plates for fees as established  
15                    in subsection (2)(d) of this section.
- 16       (aa) I Support Veterans:
- 17           1.    Initial Fee:       \$28       (\$12 SF/\$6 CF/\$10 EF to the Kentucky  
18                    Department of Veterans' Affairs).
- 19           2.    Renewal Fee:     \$23       (\$12 SF/\$6 CF/\$5 EF to the Kentucky  
20                    Department of Veterans' Affairs).
- 21       (ab) Gold Star Siblings, Gold Star Sons, or Gold Star Daughters:
- 22           1.    Initial Fee:       \$28       (\$12 SF/\$6 CF/\$10 EF to the veterans'  
23                    program trust fund established under KRS 40.460).
- 24           2.    Renewal Fee:     \$23       (\$12 SF/\$6 CF/\$5 EF to the veterans'  
25                    program trust fund established under KRS 40.460).
- 26       (ac) POW/MIA Awareness:
- 27           1.    Initial Fee:       \$41       (\$25 SF/\$6 CF/\$10 EF to the veterans'



1 program trust fund established under KRS 40.460).

2 2. Renewal Fee: \$28 (\$12 SF/\$6 CF/\$10 EF to the veterans'  
3 program trust fund established under KRS 40.460).

4 (ad) Special license plates established under KRS 186.164:

5 1. Initial Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).

6 2. Renewal Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).

7 (3) Any special license plate may be combined with a personalized license plate for a  
8 twenty-five dollar (\$25) state fee in addition to all other fees for the particular  
9 special license plate established in this section and in KRS 186.164(3). The twenty-  
10 five dollar (\$25) fee required under this subsection shall be divided between the  
11 cabinet and the county clerk of the county where the applicant is applying for the  
12 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk  
13 receiving five dollars (\$5).

14 (4) (a) A sponsoring organization of any special license plate issued under this  
15 section or any special license plate established under the provisions of KRS  
16 186.164 may petition the cabinet for the production of that special license  
17 plate for motorcycles.

18 (b) The cabinet shall make all of the special military license plates in this section  
19 available for motorcycles owned or leased by eligible individuals.

20 (c) Owners and lessees of motorcycles registered under KRS 186.050(2) may be  
21 eligible to receive special license plates approved by the cabinet under  
22 paragraphs (a) and (b) of this subsection. Applicants for a special license plate  
23 for a motorcycle shall be required to pay the fee for a special plate as  
24 prescribed in this section or in KRS 186.164. The fee paid for the special plate  
25 for a motorcycle shall be in lieu of the registration fee required under KRS  
26 186.050(2).

27 ➔Section 8. KRS 186.166 is amended to read as follows:

- 1 (1) The Transportation Cabinet shall, unless directed otherwise by the General  
2 Assembly, perpetually produce the following special license plates: military license  
3 plates, military unit license plates, U.S. Congressional license plates, firefighter  
4 license plates, emergency management license plates, Fraternal Order of Police  
5 license plates, Law Enforcement Memorial license plates, street rod license plates,  
6 nature license plates, amateur radio license plates, Kentucky General Assembly  
7 license plates, Kentucky Court of Justice license plates, Masonic Order license  
8 plates, collegiate license plates, independent college and university license plates,  
9 child victims' trust fund license plates, Kentucky Horse Council license plates,  
10 Ducks Unlimited license plates, Gold Star Mothers, Fathers, and Spouses license  
11 plates, Gold Star Siblings, Sons, and Daughters license plates, Silver Star Medal  
12 license plates, Legion of Merit Medal license plates, Bronze Star Medal license  
13 plates, Air Medal license plates, Distinguished Flying Cross license plates, Combat  
14 Action Badge license plates, Combat Infantry Badge license plates, POW/MIA  
15 Awareness license plates, spay neuter license plates, service academy license plates,  
16 and I Support Veterans license plates.
- 17 (2) The design of the plates identified for perpetual production under this section may  
18 be revised upon request of a group or organization requesting a design revision  
19 under the provisions of KRS 186.164(15).
- 20 (3) (a) The design of a Purple Heart license plate shall not include any representation  
21 of the word "Kentucky" that is a registered trademark or slogan which appears  
22 on a general issue license plate.
- 23 (b) The design of a Purple Heart license plate shall include a representation of the  
24 Purple Heart medal and the words "Combat Wounded."