

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2025 REGULAR SESSION
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Amend printed copy of **HB 18/HCS 1**

On page 1, line 25, by deleting "*an area that has adopted planning and zoning pursuant to this chapter*" and inserting in lieu thereof "*a county containing a consolidated local government*"; and

On page 2, line 24, by deleting "*an area that has adopted planning and zoning pursuant to KRS Chapter 100*" and inserting in lieu thereof "*a county containing a consolidated local government*"; and

On page 12, line 6 through page 12, line 19, by deleting Section 5 and 6 in their entirety, and inserting in lieu thereof the following:

" ➔Section 5. KRS 65.111 is amended to read as follows:

(1) As used in this section:

(a) "Emergency response" means a response by any first responder to a reported incident that is of such an emergent nature that jeopardizes or could jeopardize personal safety or result in the destruction of property;

(b) "Emergency response fee" means any charge or fee, other than a membership charge or subscriber fee levied under KRS Chapter 273, imposed by a fire department, whether paid or volunteer, ambulance provider, law enforcement agency, or other organization to cover the costs associated with an emergency response, including but not limited to costs incurred for labor, materials, supplies, or equipment used or

Amendment No. HFA 7

Rep. Rep. John Hodgson

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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provided in the response; and

- (c) "First responder" means fire, police, and emergency medical personnel.
- (2) **(a)** No local government, special district, or other provider of any emergency response service shall submit any demand for payment or require **a landlord to pay any emergency response fee if the emergency response:**
- 1. Arises out of the actions of a residential tenant or his or her guest; and**
 - 2. Was not the result of any failure by the landlord to maintain a building in compliance with applicable housing, building, plumbing, electrical, fire, health, or nuisance code requirements**~~[an owner of property occupied by an individual other than the owner to pay any emergency response fee that arises out of the actions of another over which the owner has no control].~~
- (b) Nothing in paragraph (a) of this subsection shall prevent a local government, special district, or other provider of any emergency response service from submitting a demand for payment of an emergency response fee from a responsible party.**

➔Section 6. KRS 67C.147 is amended to read as follows:

- (1) In order to maintain the tax structure, tax rates, or level of services in the area of the consolidated local government formerly comprising the city of the first class, the legislative council of a consolidated local government may provide in the manner described in this chapter for taxes and services within the area comprising the former city of the first class which are different from the taxes and services which are applicable in the remainder of the county. These differences may include differences in tax rates upon the class of property which includes the surface of the land, differences in ad valorem tax rates upon personal property, and differences in tax rates upon insurance premiums.
- (2) Any difference in the ad valorem tax rate on the class of property which includes the

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surface of the land in the portion of the county formerly comprising the city of the first class and in the portion of the county other than that formerly comprising the city of the first class may be imposed directly by the consolidated local government council. Any change in these ad valorem tax rates shall comply with KRS 68.245, 132.010, 132.017, and 132.027 and shall be used for services as provided by KRS 82.085.

- (3) If the consolidated local government council determines to provide for tax rates applicable to health insurance premiums and personal property which are different in the area formerly comprising the city of the first class than the rates applicable in the remainder of the county, it shall do so in the following manner. The consolidated local government council shall by ordinance create a tax district to be known as the "urban service tax district" bounded by the former boundaries of the former city of the first class. The ordinance shall designate the number of members of the board of this tax district and the manner in which they shall be appointed. The ordinance shall provide that the board of the tax district shall receive the income derived from the differential tax rate applicable in the area formerly comprising the city of the first class with respect to personal property, health insurance premiums, or both, and shall contract with the consolidated local government to pay all sums collected to the consolidated local government, in return for the provision of services performed by the consolidated local government within the area formerly comprising the city of the first class which services are in addition to services performed by the consolidated local government in the remainder of the county. The consolidated local government shall provide at least an annual reporting to the urban service tax district board and the legislative body of the consolidated local government containing but not limited to detailed operating and capital expenditures of each service performed by the consolidated local government.
- (4) After the initial formation of an urban service tax district in a consolidated local

government, the boundaries of the district may be modified in the following manner. The proposal to alter the boundaries of the urban service tax district within a consolidated local government may be initiated by:

- (a) A resolution enacted by the consolidated local government describing the boundaries of the area to be added to or deleted from the tax district and duly passed and signed by the mayor not less than one hundred twenty (120) days before the next regularly scheduled election day within the county; or
- (b) A petition signed by a number of qualified voters living within precincts within the area to be added to or deleted from the tax district equal to ten percent (10%) of the votes cast within each precinct in the last general election for President of the United States and delivered to the clerk of the legislative council more than one hundred twenty (120) days next preceding the next regularly scheduled election day within the county.

The boundaries so described in either case shall not cross precinct lines. The question of whether the area bounded as described should be added to or deleted from, as the case may be, the urban service tax district shall then be placed upon the ballot in the precincts in the area to be added or deleted at the next regular election and the question stated on the ballot shall be so phrased that a "Yes" vote shall be cast in favor of making the proposed change and a "No" vote shall be cast to oppose the proposed change. If a majority of those voting in those precincts support the change, then the change in the boundaries of the urban service tax district shall be implemented.

- (5) (a) No later than July 1, 2025, the consolidated local government shall reimburse a fire district operating under KRS Chapter 75 for expenses related to each emergency medical response made by the fire district operating under KRS Chapter 75 into the area of the urban service tax district. A fire district so responding shall receive from

the consolidated local government three hundred dollars (\$300) for transporting a person and one hundred fifty dollars (\$150) for arriving at person's location when no person is transported.

- (b) The payment established in paragraph (a) of this subsection shall be in addition to any insurance moneys the fire district may be eligible to receive resulting from the response.
 - (c) The payment established in paragraph (a) of this subsection shall be adjusted on July 1 of each year by the percentage increase in the nonseasonally adjusted annual average Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, between the two (2) most recent calendar years available, as published by the United States Bureau of Labor Statistics.
 - (d) The consolidated local government shall not charge a fire district operating under KRS Chapter 75 for any expenses or services that the consolidated local government was not charging the fire district prior to January 1, 2024.
- (6) **Except for services provided within the central business district as defined by the consolidated local government via ordinance as of April 1, 2024:**
- (a) From July 1, 2025, to June 30, 2028, the differential tax received by the urban service tax district shall fund no less than eighty-five percent (85%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county; ~~and~~
 - (b) From July 1, 2028, to June 30, 2031, the differential tax received by the urban service tax district shall fund no less than ninety percent (90%) of all costs related to the services provided, including capital expenditures related to the services, within the

Unofficial Document

urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county; ~~and~~

- (c) From July 1, 2031, to June 30, 2034, the differential tax received by the urban service tax district shall fund no less than ninety-five percent (95%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county; and ~~and~~
- (d) After June 30, 2034, the differential tax received by the urban service tax district shall fund no less than one hundred percent (100%) of all costs related to the services provided, including capital expenditures related to the services, within the urban service tax district by the consolidated local government as set out in this section that are in addition to the services performed by the consolidated local government in the remainder of the county.

➔SECTION 7. A NEW SECTION OF KRS 100.401 TO 100.419 IS CREATED TO READ AS FOLLOWS:

Notwithstanding any provision of KRS 100.401 to 100.419 to the contrary, a planning commission shall not waive or amend an agreed-upon binding element without the approval of the legislative body of the local government exercising planning authority."