

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2025 REGULAR SESSION
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Amend printed copy of **HB 4/HCS 1**

On page 4, after line 27, insert the following:

"(14) "Qualified individual" means:

(a) An individual enrolled in an institution;

(b) A parent or guardian of a student under the age of eighteen (18) who is enrolled in an institution;

(c) An individual who is employed by the institution or the council; or

(d) A candidate or applicant for student admission, student housing, financial assistance, scholarship awards, employment, employee promotion, employee contract, employee contract renewal, or service contract;"; and

On page 5, line 1, delete "**(14)**" and insert "**(15)**" in lieu thereof; and

On page 5, line 10, delete "**(15)**" and insert "**(16)**" in lieu thereof; and

On page 5, line 14, delete "**(16)**" and insert "**(17)**" in lieu thereof; and

On page 10, delete lines 4 and 5 in their entirety; and

On page 10, line 6, delete "**(7)**" and insert "**(6)**" in lieu thereof; and

On page 11, delete lines 7 and 8 in their entirety; and

On page 12, delete lines 10 and 11 in their entirety; and

On page 12, after line 11, insert the following:

" ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ

Amendment No. SFA

Rep. Sen. Gex Williams

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

AS FOLLOWS:

- (1) The Attorney General may bring a civil action for a writ of mandamus to compel the council or an institution to comply with Sections 1, 2, 3, and 4 of this Act.
- (2) (a) Notwithstanding any provision of law to the contrary, a qualified individual may file a civil action against the council or an institution for economic damages not to exceed one hundred thousand dollars (\$100,000) per violation, injunctive relief, and declaratory relief from a violation of Sections 1, 2, 3, and 4 of this Act committed on or after the effective date of this Act. A civil action brought under this section may be brought in the Circuit Court of the county in which:

 1. All or a substantial part of the events or omissions giving rise to the civil action occurred;
 2. The principal office of the institution or council is located; or
 3. The plaintiff resides, if the plaintiff is an individual who resides in the Commonwealth.
- (b) Sovereign and governmental immunity are waived for the limited purpose of permitting claims pursuant to this section.
- (c) A prevailing plaintiff shall be permitted to recover reasonable attorney's fees and litigation costs from the institution or council that committed the violation.
- (d) The remedies identified in this section shall be in addition to, and not in lieu of, any other remedies available in law or equity.
- (3) The council or an institution shall not use, or threaten the use of, any official authority or influence to discourage, interfere with, or otherwise retaliate against any qualified individual who in good faith:

 - (a) Files or is about to file a civil action against the council or an institution; or
 - (b) Supports, aids, or substantiates a civil action filed or about to be filed;

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in accordance with subsection (2) of this section."; and

On page 12, line 27 and continuing to page 13, line 1, delete "**under subsection (6) of Section 2 of this Act** " and insert "**or a qualified individual in accordance with Section 5 of this Act**" in lieu thereof; and

Renumber the subsequent sections accordingly.