

1 AN ACT relating to planning and zoning training.

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

3 ➔Section 1. KRS 147A.027 is repealed, reenacted as a new section of KRS
4 Chapter 100, and amended to read as follows:

5 (1) (a) Each planning commissioner and board of adjustment member of a planning
6 unit shall, within one (1) year prior to ***his or her*** appointment ***and one (1)***
7 ***year following***~~[, or within one hundred twenty (120) days of]~~ appointment,
8 attend a minimum of ***three (3)***~~[four (4)]~~ hours of orientation training in one
9 (1) or more of the subjects listed in subsection (4) of this section ***and at least***
10 ***one (1) additional hour of training on the impact of planning and zoning***
11 ***policies and procedures on housing supply and accessibility.***

12 (b) Each planning professional, zoning administrator, and administrative official,
13 and each planning professional's deputies and assistants, shall, within one (1)
14 year prior to being employed, or within one hundred twenty (120) days of
15 employment, attend a minimum of ***seven (7)***~~[eight (8)]~~ hours of orientation
16 training in one (1) or more of the subjects listed in subsection (4) of this
17 section ***and at least one (1) additional hour of training on the impact of***
18 ***planning and zoning policies and procedures on housing supply and***
19 ***accessibility.***

20 (c) Each of the individuals listed in paragraphs (a) and (b) of this subsection shall
21 certify his or her attendance by a written statement filed with the secretary of
22 his or her respective planning commission within ***thirty (30) days of***
23 ***completing the orientation training required in paragraphs (a) and (b) of***
24 ***this subsection***~~[one hundred forty (140) days of appointment or employment].~~

25 Each statement shall identify the date of each program attended, its subject
26 matter, location, sponsors, and the time spent in each program.

27 (2) (a) Each planning commissioner and board of adjustment member of a planning

1 unit shall, within each period of four (4)~~two (2)~~ consecutive calendar years,
2 starting at the date of the individual's appointment, attend no less than seven
3 (7)~~eight (8)~~ hours of continuing education in any of the subjects listed in
4 subsection (4) of this section and at least one (1) additional hour of training
5 on the impact of planning and zoning policies and procedures on housing
6 supply and accessibility.

7 (b) Each planning professional, zoning administrator, and administrative official,
8 and each planning professional's deputies and assistants, shall, within each
9 period of two (2) consecutive calendar years, starting at the date of the
10 individual's appointment, attend no less than fifteen (15)~~sixteen (16)~~ hours
11 of continuing education in any of the subjects listed in subsection (4) of this
12 section and at least one (1) additional hour of training on the impact of
13 planning and zoning policies and procedures on housing supply and
14 accessibility.

15 (c) Each of the individuals listed in paragraphs (a) and (b) of this subsection shall
16 certify his or her attendance by a written statement filed with the secretary of
17 his or her respective planning commission within thirty (30) days of
18 completing the continuing education required in paragraphs (a) and (b) of
19 this subsection~~[by December 31 of each calendar year]~~. Each statement shall
20 identify the date of each program attended, its subject matter, location,
21 sponsors, and the time spent in each program.

22 (3) The planning commission or the legislative body of the city, county, urban-county
23 government, charter county government, or consolidated local government in
24 which the planning commission has jurisdiction or, in the case of a joint planning
25 unit, has representation in, shall be responsible for providing training as required by
26 subsections (1) and (2) of this section or for providing funding to each planning
27 commissioner, board of adjustment member, full-time planning professional,

1 zoning administrator, administrative official, and planning professional's deputies
2 or assistants so that each individual may obtain training as required by subsections
3 (1) and (2) of this section from other sources.

4 (4) The subjects for the education required by subsections (1) and (2) of this section
5 shall include~~[,]~~ but not be limited to~~[,]~~ ***any of*** the following: land use planning;
6 zoning; floodplains; transportation; community facilities; ethics; public utilities;
7 wireless telecommunications facilities; parliamentary procedure; public hearing
8 procedure; administrative law; economic development; housing; public buildings;
9 building construction; land subdivision; and powers and duties of the board of
10 adjustment. Other topics reasonably related to the duties of planning officials or
11 planning professionals may be approved by majority vote of the planning
12 commission prior to December 31 of the year for which credit is sought.

13 (5) Each local planning commission shall keep in its official public records originals of
14 all statements and the written documentation of attendance required in subsection
15 (6) of this section filed with the secretary of the planning commission pursuant to
16 subsections (1)(c) and (2)(c) of this section for three (3) years after the calendar
17 year in which each statement and appurtenant written documentation is filed.

18 (6) Each planning commissioner, board of adjustment member, full-time planning
19 professional, zoning administrator, administrative official, and planning
20 professional's deputies or assistants shall be responsible for obtaining written
21 documentation signed by a representative of the sponsor of any continuing
22 education course for which credit is claimed, acknowledging the fact that the
23 individual attended the program for which credit is claimed. That documentation
24 shall be filed with the secretary of the planning commission as attachments to the
25 statements required by subsections (1)(c) and (2)(c) of this section.

26 (7) If a planning commissioner or board of adjustment member fails to:

27 (a) Complete the requisite number of hours of orientation training and continuing

1 education within the time allotted under subsections (1) and (2) of this
2 section;

3 (b) File the statement required by subsections (1)(c) and (2)(c) of this section; or

4 (c) File the documentation required by subsection (6) of this section;

5 the planning commissioner shall be subject to removal from office according to the
6 provisions of KRS 100.157, and the board of adjustment member shall be subject to
7 removal according to the provisions of KRS 100.217.

8 (8) No city, county, urban-county government, charter county government,
9 consolidated local government, planning commission, board of adjustment, or any
10 entity performing local planning under KRS Chapter 100, shall employ a planning
11 professional, zoning administrator, administrative official, or a planning
12 professional's deputy or assistant, who fails to complete the requisite number of
13 hours of orientation and continuing education required by subsections (1) and (2) of
14 this section in the capacity of a planning professional, zoning administrator,
15 administrative official, or planning professional's deputy or assistant.