

1 AN ACT relating to economic development.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 7 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The Kentucky-Ireland Trade Commission of the General Assembly is hereby*
6 *established. The purpose of the commission shall be to:*

7 *(a) Advance bilateral trade and investment between Kentucky and Ireland;*

8 *(b) Initiate joint action on policy issues of mutual interest to Kentucky and*
9 *Ireland;*

10 *(c) Promote business and academic exchanges between Kentucky and Ireland;*

11 *(d) Encourage mutual economic development support between Kentucky and*
12 *Ireland;*

13 *(e) Encourage mutual infrastructure investment in Kentucky and Ireland; and*

14 *(f) Address other issues as determined by the commission.*

15 *(2) The commission shall be composed of eleven (11) members. The manner of*
16 *appointment and terms of the members shall be as follows:*

17 *(a) Four (4) members shall be appointed by the Governor, to serve for a term of*
18 *four (4) years and until their successors are appointed. Three (3) of these*
19 *members shall include:*

20 *1. One (1) member from a public postsecondary institution; and*

21 *2. Two (2) members representing the Irish-American community or*
22 *interests, who shall not be members of the same political party;*

23 *(b) The president of the Kentucky Chamber of Commerce or his or her*
24 *designee;*

25 *(c) Two (2) members of the Senate appointed by the President of the Senate and*
26 *one (1) member of the Senate appointed by the Minority Floor Leader of the*
27 *Senate, who have knowledge of or current or past involvement in*

1 organizations that promote Irish affairs or who have interest in the well-
2 being of trade relations between Kentucky and Ireland; and

3 (d) Two (2) members of the House of Representatives appointed by the Speaker
4 of the House of Representatives and one (1) member of the House of
5 Representatives appointed by the Minority Floor Leader of the House of
6 Representatives, who have knowledge of or current or past involvement in
7 organizations that promote Irish affairs or who have interest in the well-
8 being of trade relations between Kentucky and Ireland.

9 (3) The commission has authority to:

10 (a) Meet monthly upon agreement of the co-chairs;

11 (b) Seek comment, testimony, documents, records, or other information from
12 various government agencies and organizations representing Irish affairs to
13 identify policy issues of mutual interest to Kentucky and Ireland; and

14 (c) Provide research-driven policy proposals and actionable items when areas
15 of development or improvement are identified.

16 (4) The President of the Senate and the Speaker of the House of Representatives
17 shall each designate one (1) co-chair of the commission from among that
18 chamber's members appointed to the commission.

19 (5) Any vacancy which may occur in the membership of the commission shall be
20 filled within thirty (30) days, in the same manner as the original appointment, for
21 the balance of the expired term.

22 (6) A majority of the entire membership of the commission shall constitute a quorum.

23 (7) All initial appointments to the commission shall be made no later than July 1,
24 2025. All initial legislative appointments shall remain until January 1, 2027. All
25 subsequent appointments of legislative members shall be in January of each odd-
26 numbered year.

27 (8) Each nonlegislative member shall be entitled to compensation for his or her

1 service in an amount of one hundred dollars (\$100) for each regularly scheduled
2 meeting of the commission he or she attends, and shall be entitled to
3 reimbursement for all necessary expenses in connection with the performance of
4 his or her duties.

5 (9) The Legislative Research Commission shall have exclusive jurisdiction over the
6 employment of personnel necessary to carry out this section.

7 (10) The commission shall report its findings and recommendations to the Governor
8 and the Legislative Research Commission within one (1) year of its
9 organizational meeting, and by December 1 of each year thereafter regarding any
10 potential legislative or administrative actions with respect to their findings.

11 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 45A IS CREATED TO
12 READ AS FOLLOWS:

13 (1) As used in this section:

14 (a) "License agreement" means an agreement for a marina operator to use
15 land owned or leased by the Commonwealth as a state marina;

16 (b) "Marina facilities" means buildings or structures at a marina used to
17 access navigable waterways, store or dock boats, or provide services to boat
18 owners including but not limited to docks, ramps, piers, stores, and
19 restaurants, and refueling, washing, and repairing facilities;

20 (c) "Marina operator" means an owner of marina facilities at a state marina or
21 an operator of a state marina; and

22 (d) "State marina" means a marina located on land owned or leased by the
23 Commonwealth and that is considered to be part of the Kentucky
24 Department of Parks.

25 (2) The Finance and Administration Cabinet may renew or extend a license
26 agreement with a marina operator without otherwise complying with the
27 provisions of this chapter, provided that the following criteria are met:

1 (a) The marina operator has fulfilled all of his or her obligations under the
2 license agreement;

3 (b) The marina operator is in good standing with the Kentucky Department of
4 Parks; and

5 (c) The Finance and Administration Cabinet determines, in writing, that it is in
6 the best interest of the Commonwealth to enter into a license agreement
7 with the marina operator.

8 ➔Section 3. KRS 91A.360 is amended to read as follows:

9 (1) The commission established pursuant to KRS 91A.350(2) shall be composed of
10 seven (7) members to be appointed, in accordance with the method used to establish
11 the commission. Members of a commission established by joint action of the local
12 governing bodies of a county and a city or cities located therein shall be appointed,
13 jointly, by the chief executive officers of the local governing bodies that established
14 the commission. Members of a commission established by separate action of the
15 local governing body of a county or a city located therein shall be appointed
16 separately by the chief executive officer of the local governing body that
17 established the commission. The chief executive officer of a city shall mean the
18 mayor and the chief executive officer of a county shall mean the county
19 judge/executive. Appointments to a commission shall be made by the appropriate
20 chief executive officer or officers in the following manner:

21 (a) Two (2) commissioners shall be appointed from a list of three (3) or more
22 names submitted by the local city hotel and motel association and one (1)
23 commissioner shall be appointed from a list of three (3) or more names
24 submitted by the local county hotel and motel association, provided that if
25 only one (1) local hotel and motel association exists which covers both the
26 city and county, then three (3) commissioners shall be appointed from a list of
27 six (6) or more names submitted by it. If no formal local city or county hotel

1 and motel association is in existence upon the establishment of a commission
2 or upon the expiration of the term of a commissioner appointed pursuant to
3 this subsection, then up to three (3) commissioners shall be appointed by the
4 appropriate chief executive officer or officers from persons residing within the
5 county or city~~jurisdiction~~ of the commission and representing local hotels or
6 motels. A local city or county hotel and motel association shall not be
7 required to be affiliated with the Kentucky Hotel and Motel Association to be
8 recognized as the official local city or county hotel and motel association;~~;~~

9 (b) One (1) commissioner shall be appointed from a list of three (3) or more
10 names submitted by the local restaurant association or associations. If no
11 formal local restaurant association or associations exist upon the
12 establishment of a commission or upon the expiration of the term of a
13 commissioner appointed pursuant to this subsection, then one (1)
14 commissioner shall be appointed by the appropriate chief executive officer or
15 officers from persons residing within the county or city~~jurisdiction~~ of the
16 commission and representing a local restaurant. A local restaurant association
17 or associations shall not be required to be affiliated with the Kentucky
18 Restaurant Association to be recognized as the official local restaurant
19 association or associations;~~;~~

20 (c) One (1) commissioner shall be appointed from a list of three (3) or more
21 names submitted by the chamber or chambers of commerce existing within
22 those governmental units, which by joint or separate action have established
23 the commission. If the commission is established by joint action of a county
24 and a city or cities, then each chamber of commerce shall submit a list of three
25 (3) names, and the chief executive officers of the participating governmental
26 units shall jointly appoint one (1) commission member from the aggregate list.
27 If no local chamber of commerce is in existence upon the establishment of a

1 commission or upon the expiration of the term of a commissioner appointed
2 pursuant to this subsection, then one (1) commissioner shall be appointed by
3 the appropriate chief executive officer or officers from persons residing within
4 the county or city~~jurisdiction~~ of the commission and representing local
5 businesses; and~~;~~

6 (d) Two (2) commissioners shall be appointed in the following manner:
7 1. By the chief executive officer of the county or city, if the commission
8 has been established by separate action of a county or city; or
9 2. One (1) each by the chief executive officer of the county and by the
10 chief executive officer of the most populous city participating in the
11 establishment of the commission, if the commission has been
12 established by joint action of a county and a city or cities.

13 (2) A candidate submitted for appointment to the commission, pursuant to subsection
14 (1)(a) to ~~(1)(c)~~ of this section, shall be appointed by the appropriate chief
15 executive officer or officers within thirty (30) days of the receipt of the required list
16 or lists. Vacancies shall be filled in the same manner that original appointments are
17 made.

18 (3) The commissioners shall be appointed for terms of three (3) years, provided, that in
19 making the initial appointments, the appropriate chief executive officer or officers
20 shall appoint two (2) commissioners for a term of three (3) years, two (2)
21 commissioners for a term of two (2) years and three (3) commissioners for a term of
22 one (1) year. There shall be no limitation on the number of terms to which a
23 commissioner is reappointed. Subsequent appointments shall be for three (3) year
24 terms.

25 (4) The commission shall elect from its membership a chair~~chairman~~ and a treasurer,
26 and may employ personnel and make contracts necessary to carry out the purpose
27 of KRS 91A.345 to 91A.394. The contracts may include~~;~~ but shall not be limited

1 to~~the~~ the procurement of promotional services, advertising services, and other
2 services and materials relating to the promotion of tourist and convention business.
3 Contracts of the type enumerated shall be made only with persons, organizations,
4 and firms with experience and qualifications for providing promotional services and
5 materials, such as advertising firms, chambers of commerce, publishers, and
6 printers.

7 (5) The books of the commission and its account as established in KRS 91A.390(2)
8 shall be audited as provided in KRS 65A.030. The independent certified public
9 accountant or Auditor of Public Accounts shall make a report to the commission, to
10 the associations submitting lists of names from which commission members are
11 selected, to the appropriate chief executive officer or officers, to the~~State~~ Auditor
12 of Public Accounts, and to the local governing body or bodies that established the
13 commission that was audited. A copy of the audit report shall be made available by
14 the commission to members of the public upon request and at no charge.

15 (6) A commissioner may be removed from office, by joint or separate action, of the
16 appropriate chief executive officer or officers of the local governing body or bodies
17 that established the commission, as provided by KRS 65.007.

18 (7) The commission shall comply with the provisions of KRS 65A.010 to 65A.090.

19 ➔Section 4. KRS 91A.390 is amended to read as follows:

20 (1) (a) The commission shall annually submit to the local governing body or bodies
21 which established it a request for funds for the operation of the commission.

22 (b) The local governing body or bodies shall include the commission in the
23 annual budget and shall provide funds for the operation of the commission by
24 imposing a transient room tax on the rent for every occupancy of a suite,
25 room, rooms, cabins, lodgings, campsites, or other accommodations charged
26 by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds,
27 recreational vehicle parks, or any other place in which accommodations are

1 regularly furnished to transients for consideration or by any person that
2 facilitates the rental of the accommodations by brokering, coordinating, or in
3 any other way arranging for the rental of the accommodations as follows:

- 4 1. For a local governing body or bodies, other than an urban-county
5 government, the tax rate shall not exceed three percent (3%); and
- 6 2. For an urban-county government, the tax rate shall not exceed four
7 percent (4%).

8 (c) In addition to the three percent (3%) levy authorized by paragraph (b)1. of this
9 subsection, the local governing body other than an urban-county government
10 may impose a special transient room tax not to exceed one percent (1%) for
11 the purposes of:

- 12 1. Meeting the operating expenses of a convention center; and
- 13 2. In the case of a consolidated local government, financing the renovation
14 or expansion of a convention center that is government-owned and
15 located in the central business district of the consolidated local
16 government, except that if a consolidated local government imposes the
17 special transient room tax authorized under this paragraph on or after
18 August 1, 2014, revenue derived from the levy shall not be used to meet
19 the operating expenses of a convention center until any debt issued for
20 financing the renovation or expansion of a government-owned
21 convention center located in the central business district of the
22 consolidated local government is retired.

23 (d) Transient room taxes shall not apply to rooms, lodgings, campsites, or
24 accommodations supplied for a continuous period of thirty (30) days or more
25 to a person.

26 (e) The local governing body or bodies that have established a commission by
27 joint or separate action shall enact an ordinance for the enforcement of the tax

1 measure enacted pursuant to this section and the collection of the proceeds of
2 this tax measure on a monthly basis.

3 (2) All moneys collected pursuant to this section and KRS 91A.400 shall be maintained
4 in an account separate and unique from all other funds and revenues collected, and
5 shall be considered tax revenue for the purposes of KRS 68.100 and KRS 92.330.

6 (3) A portion of the money collected from the imposition of this tax, as determined by
7 the tax levying body, upon the advice and consent of the tourist and convention
8 commission, may be used to finance the cost of acquisition, construction, operation,
9 and maintenance of facilities useful in the attraction and promotion of tourist and
10 convention business, including projects described in KRS 154.30-050(2)(a). The
11 balance of the money collected from the imposition of this tax shall be used for the
12 purposes set forth in KRS 91A.350. Proceeds of the tax shall not be used as a
13 subsidy in any form to any hotel, motel, inn, motor court, tourist camp, tourist
14 cabin, campgrounds, recreational vehicle parks, or any other person furnishing
15 accommodations, or restaurant, except as provided in KRS 154.30-050(2)(a)3.c.
16 Money not expended by the commission during any fiscal year shall be used to
17 make up a part of the commission's budget for its next fiscal year.

18 (4) A county with a city of the first class may impose an additional tax, not to exceed
19 one and one-half percent (1.5%) of the rent. This additional tax, if approved by the
20 local governing body, shall be collected and administered in the same manner as the
21 tax authorized by subsection (1)(b) of this section and shall be used for the purpose
22 of funding additional promotion of tourist and convention business.

23 (5) An urban-county government may impose an additional tax, not to exceed one
24 percent (1%) of the rents included in this subsection. This additional tax shall be
25 collected and administered in the same manner as the tax authorized by subsection
26 (1)(b) of this section with the exception that this additional tax shall be used for the
27 purpose of funding the purchase of development rights program provided for under

1 KRS 67A.845.

2 (6) Local governing bodies which have formed multicounty tourist and convention
3 commissions as provided by KRS 91A.350(3) may impose an additional tax~~[-, not to~~
4 ~~exceed one percent (1%) of the rents]~~. This additional tax, if approved by each
5 governing body, shall be collected and administered in the same manner as the tax
6 authorized by subsection (1)(b) of this section, with the exception that this
7 additional tax shall **not be subject to a tax rate cap and shall** be used for the
8 purpose of funding regional efforts relating to:

- 9 **(a) The promotion of tourist and convention business and convention centers; or**
10 **(b) The construction, maintenance, repair, renovation, improvement,**
11 **expansion, acquisition, development, promotion, or operation of real**
12 **property, personal property, or facilities within the jurisdiction of the**
13 **multicounty tourist and convention commission in order to encourage**
14 **tourism, visitation, recreation, or economic development.**

15 In no event shall any revenues collected as provided for under KRS 91A.350(3) be
16 utilized for the construction, renovation, maintenance, or additions to any
17 convention center that is located outside the boundaries of the Commonwealth of
18 Kentucky.

19 (7) The commission, with the approval of the tax levying body, may borrow money to
20 pay its obligations that cannot be paid at maturity out of current revenue from the
21 transient room tax, but shall not borrow a sum greater than can be repaid out of the
22 revenue anticipated from the transient room tax during the year the money is
23 borrowed. The commission may pledge its securities for the repayment of any sum
24 borrowed.

25 (8) The fiscal court or legislative body of a consolidated local government or city
26 establishing a commission pursuant to KRS 91A.350(1) or (2) and, in its own name,
27 a commission established pursuant to of KRS 91A.350(1) is authorized and

1 empowered to issue revenue bonds pursuant to KRS Chapter 58 for public projects.
2 Bonds issued for the purposes of KRS 91A.345 to 91A.394, may be used to pay any
3 cost for the acquisition of real estate, the construction of buildings and
4 appurtenances, the preparation of plans and specifications, and legal and other
5 services incidental to the project or to the issuance of the bonds. The payment of the
6 bonds, with interest, may be secured by a pledge of and a first lien on all of the
7 receipts and revenue derived, or to be derived, from the rental or operation of the
8 property involved. Bond and interest obligations issued pursuant to this section
9 shall not constitute an indebtedness of the county, consolidated local government,
10 or city. All bonds sold under the authority of this section shall be subject to
11 competitive bidding as provided by law, and shall bear interest at a rate not to
12 exceed that established for bonds issued for public projects under KRS Chapter 58.

13 (9) A commission established pursuant to KRS 91A.350(3) is authorized and
14 empowered to issue revenue bonds in its own name, payable solely from its income
15 and revenue, pursuant to KRS Chapter 58 for revenue bonds for public projects.
16 Bonds issued for the purposes of KRS 91A.345 to 91A.394, may be used to pay any
17 cost for the acquisition of real estate, the construction of buildings and
18 appurtenances, the preparation of plans and specifications, and legal and other
19 services incidental to the project or to the issuance of the bonds. The payment of the
20 bonds, with interest, may be secured by a pledge of and a first lien on all of the
21 receipts and revenue derived, or to be derived, from the rental or operation of the
22 property involved. Bond and interest obligations issued pursuant to this section
23 shall not constitute an indebtedness of the county. All bonds sold pursuant to this
24 section shall be subject to competitive bidding as provided by law, and shall not
25 bear interest at rates exceeding those for bonds issued for public projects under
26 KRS Chapter 58.

27 ➔Section 5. KRS 154.90-010 is amended to read as follows:

- 1 (1) The Northern Kentucky Convention Center Corporation is hereby established to
2 develop and manage the Northern Kentucky Convention Center. The corporation
3 shall be attached to the Tourism, Arts and Heritage Cabinet for administrative
4 purposes. The corporation shall be directed by a board consisting of eleven
5 (11)~~seven (7)~~ members appointed as follows:
- 6 (a) The county judges/executive~~judge/executives~~ of Kenton, Campbell, and
7 Boone Counties, with the approval of their respective fiscal courts, shall each
8 appoint two (2) members~~one (1) member~~ to the board~~. An appointee under~~
9 ~~this subsection shall have demonstrated successful business experience in a~~
10 ~~field related to the convention business~~;
- 11 (b) The mayor of the city within which the convention center is located shall
12 appoint one (1) member, with the approval of the city commission; and
- 13 (c) The Governor shall appoint four (4)~~three (3)~~ members.
- 14 (d) One (1) of the initial appointees of the Governor shall have a one (1) year
15 term, one (1) shall have a two (2) year term, and one (1) shall have a three (3)
16 year term. All other appointments, and all subsequent appointments by the
17 Governor, shall be for four (4) year terms.
- 18 (e) Members may be removed by the appointing authority only for cause and
19 after being afforded notice, a hearing, and a finding of fact by the appointing
20 authority. A copy of charges, transcript of the record of the hearings, and
21 findings of fact shall be filed with the Secretary of State.
- 22 (2) The Northern Kentucky Convention Center Corporation shall be a body corporate
23 with full corporate powers. A quorum of the corporation shall consist of four (4)
24 members, with a majority of members present authorized to act upon any matter
25 legally before the corporation. Minutes and records shall be kept of all meetings of
26 the corporation and all official actions shall be recorded.
- 27 (3) The corporation may enact bylaws concerning the election of officers and other

1 administrative procedures it deems necessary.