

1 AN ACT relating to the operations of the Department of Law.

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

3 ➔Section 1. KRS 15.010 is amended to read as follows:

4 (1) The Attorney General is the head of the Department of Law.

5 (2) The Department of Law shall include the following major organizational units:

6 (a) Department of Criminal Investigations;

7 1. Office of Counter-Exploitation;

8 a. Special Victims Division;

9 b. Cyber Crimes Division; and

10 c. Trafficking and Abuse Prevention and Prosecution Division;

11 2. Office of Investigative Operations;

12 a. Public Corruption Division;

13 b. Special Investigations Division; and

14 c. Protective Intelligence Division;

15 (b) Department of Criminal Litigation;

16 1. Office of Special Prosecutions;

17 2. Office of Medicaid Fraud and Abuse Control;

18 3. Office of Prosecutors Advisory Council; and

19 4. Office of Victims Advocacy;

20 (c) Department of Civil Litigation;

21 1. Office of Consumer Protection;

22 2. Office of Civil and Environmental Law;

23 a. Open Records and Meetings Division; and

24 b. Civil Litigation Division;

25 3. Office of Rate Intervention;

26 4. Office of Senior Protection;~~and~~

27 5. Office of Administrative Hearings;

- 1                   a.    Family and Children Division;
- 2                   b.    Health Services Division; and
- 3                   c.    General Government Division; **and**

4                   **6.   Office of Data Privacy;**

- 5                   (d)   Office of the Solicitor General;
- 6                   1.    Criminal Appeals Division; and
- 7                   2.    Civil Appeals Division;
- 8                   (e)   Office of Legal Counsel;
- 9                   (f)   Office of Communications;
- 10                  (g)   Office of Management and Budget; ~~[and]~~
- 11                  (h)   Kentucky Office of Regulatory Relief; **and**

12                  **(i)   Department of Child Support Services;**

13                         **1.   Office of Processing and Distribution;**

14                         **2.   Office of Program Services;**

15                         **3.   Office of General Counsel;**

16                         **4.   Office of Administrative Services; and**

17                         **5.   Office of Information Services.**

18                  ➔Section 2.   KRS 15.111 is amended to read as follows:

- 19                  (1)   The Office of Administrative Hearings is created **within the Department of Law**~~[in~~  
20                   ~~the Office of Attorney General]~~.
- 21                  (2)   This office shall have the following responsibilities:
  - 22                   (a)   Employing and maintaining a pool of hearing officers for assignment to the  
23                   individual agencies at their request, for the conduct of administrative hearings.  
24                   The Attorney General's office may also employ other staff as necessary to  
25                   carry out functions and responsibilities assigned by KRS Chapter 13B;
  - 26                   (b)   Reviewing and approving or disapproving requests from agencies for waivers  
27                   from provisions of KRS Chapter 13B;

- 1 (c) Providing training in administrative hearing procedures for hearing officers as  
2 required in KRS 13B.030, either by developing and offering the training, or  
3 by contracting with appropriate organizations for the provision of training, or  
4 by approving training developed and submitted by the agencies;
- 5 (d) Consulting with the Personnel Cabinet and employing agencies in the  
6 establishment of relevant and appropriate qualifications for classes of hearing  
7 officers;
- 8 (e) ~~Establishing, in cooperation with the Office of Consumer Protection, a~~  
9 ~~clearinghouse for complaints concerning the administrative hearing process in~~  
10 ~~Kentucky. Each complaint received shall be referred to the agency that is the~~  
11 ~~subject of the complaint, and the action of the agency to resolve the complaint~~  
12 ~~shall be noted and reported to the office;~~
- 13 (f) ~~Reporting to the Legislative Research Commission by July 1 of each odd-~~  
14 ~~numbered year, the status of the administrative hearing process in Kentucky.~~  
15 The report shall include a compilation of statistical data and other information  
16 necessary to assess the effectiveness and efficiency of hearing procedures and  
17 recommendations for making improvements to the system. Agencies shall  
18 provide the information requested by the Office of Administrative Hearings  
19 necessary to complete the report;
- 20 (f)(g) Reporting to the Cabinet for Health and Family Services, Office of  
21 Inspector General, for review and investigation:
- 22 1. Any charge or case against any employee of the Cabinet for Health and  
23 Family Services where it has cause to believe the employee has engaged  
24 in dishonest, unethical, or illegal conduct or practices related to his or  
25 her job duties; or
  - 26 2. Any violation of state law or administrative regulation by any  
27 organization or individual regulated by, or contracted with, the Cabinet

1 for Health and Family Services; and  
2 ~~(g)(h)~~ Conducting and providing oversight of administrative hearings as it  
3 relates to the Cabinet for Health and Family Services.

4 ➔Section 3. KRS 15.802 (Effective July 1, 2025) is amended to read as follows:

- 5 (1) The duties of the ~~{Office of the Attorney General, }~~**Department of** Child Support  
6 **Services within the Department of Law**~~{Enforcement}~~, or its designee, shall  
7 include:
- 8 (a) Serve as state agency authorized to administer Part D of Title IV of the Social  
9 Security Act, 42 U.S.C. secs. 651 to 669;
  - 10 (b) Serve as the information agency as provided in the Uniform Interstate Family  
11 Support Act, KRS Chapter 407;
  - 12 (c) Serve as collector of all court-ordered or administratively ordered child  
13 support payments pursuant to Part D of Title IV of the Social Security Act;
  - 14 (d) Serve as the agent for enforcement of international child support obligations,  
15 and respond to requests from foreign reciprocating countries;
  - 16 (e) Establish and enforce an obligation upon receipt of a completed, notarized  
17 voluntary acknowledgment-of-paternity form;
  - 18 (f) Enforce Kentucky child support laws, including collection of court-ordered or  
19 administratively ordered child support arrearages and prosecution of persons  
20 who fail to pay child support;
  - 21 (g) Publicize the availability of services and encourage the use of these services  
22 for establishing paternity and child support;
  - 23 (h) Pay the cost of genetic testing to establish paternity, subject to recoupment  
24 from the alleged father, when paternity is administratively or judicially  
25 determined; and obtain additional testing when an original test is contested,  
26 upon request and advance payment by the contestant;
  - 27 (i) Establish child support obligations and seek modification of judicially or

- 1           administratively established child support obligations in accordance with the  
2           child support guidelines of the Commonwealth of Kentucky as provided under  
3           KRS 403.212;
- 4           (j) Administratively establish child support orders which shall have the same  
5           force and effect of law;
- 6           (k) Issue an administrative subpoena to secure public and private records of  
7           utility and cable companies and asset and liability information from financial  
8           institutions for the establishment, modification, or enforcement of a child  
9           support obligation;
- 10          (l) Impose a penalty for failure to comply with an administrative subpoena;
- 11          (m) Provide notices, copies of proceedings, and determinations of support  
12          amounts to any parties or individuals who are applying for or receiving Title  
13          IV-D services, or who are parties to cases in which Title IV-D services are  
14          being provided; and
- 15          (n) Issue interstate administrative subpoenas to any individual or entity for  
16          financial or other information or documents which are needed to establish,  
17          modify, or enforce a child support obligation pursuant to Part D of Title IV of  
18          the Social Security Act, 42 U.S.C. sec. 651 et seq. An administrative  
19          subpoena lawfully issued in another state to an individual or entity residing in  
20          this state shall be honored and enforced in the Circuit Court where the  
21          individual or entity resides.
- 22          (2) The ~~{Office of the Attorney General, }~~**Department of** Child Support **Services within**  
23          **the Department of Law**~~{Enforcement}~~, or its designee, may promulgate  
24          administrative regulations to implement this section and adopt forms or implement  
25          other requirements of federal law relating to interstate administrative subpoenas,  
26          and may amend forms by technical amendment that are mandated by the federal  
27          Office of Child Support Enforcement and incorporated by reference in

1 administrative regulation.

2 (3) The Office of the Attorney General shall maintain a system to receive and process  
3 all child support payments. The system shall include existing computer systems to  
4 record the payments. The automated system shall include a state case registry that  
5 contains records with respect to each case in which services are being provided by  
6 the office and each child support order established or modified in the state~~[on or~~  
7 ~~after October 1, 1998]~~.

8 (4) The Office of the Attorney General shall establish and operate a state disbursement  
9 unit for the collection, disbursement, and recording of payments under support  
10 orders for all Title IV-D cases and for all cases initially issued in the state~~[on or~~  
11 ~~after January 1, 1994,]~~ in which a wage withholding has been court-ordered or  
12 administratively ordered, pursuant to Part D of Title IV of the Social Security Act.  
13 Establishment of the state unit may include the designation and continuation of  
14 existing local collection units to aid efficient and effective collection, disbursement,  
15 and recording of child support payments.

16 (5) After the establishment of the disbursement unit child support collection system, the  
17 Office of the Attorney General or its designee shall serve as collector of all court-  
18 ordered or administratively ordered child support payments pursuant to Part D of  
19 Title IV of the Social Security Act.

20 (6) Where establishment of paternity and enforcement and collection of child support is  
21 by law the responsibility of local officials, the Office of the Attorney General shall  
22 refer cases to the appropriate official for such action. The  
23 office may enter into cooperative arrangements with appropriate courts and law  
24 enforcement officials to assist the office in administering the program of child  
25 support recovery, including the entering into of financial arrangements with such  
26 courts and officials as provided for under the provisions of federal law and  
27 regulations. The local county attorney shall be considered the designee of the office

1 for purposes of administering the program of child support recovery within a  
2 county, subject to the option of the county attorney to decline such designation.  
3 Nothing in this section shall prevent the Attorney General from taking such action,  
4 with prior written notice, as appropriate if the terms and conditions of the  
5 cooperative agreement are not met. When a cooperative agreement with a  
6 contracting official is canceled for good cause, the office may not offer that  
7 cooperative agreement to that official during the official's tenure.

8 (7) Where the local county attorney, friend of the court, domestic relations agent, or  
9 other designee of the Office of the Attorney General has been contracted for the  
10 purpose of administering child support enforcement pursuant to Title IV-D of the  
11 Social Security Act, the contracting official shall be deemed to be representing the  
12 office and as such does not have an attorney-client relationship with the applicant  
13 who has requested services pursuant to Title IV-D of the Social Security Act nor  
14 with any dependent on behalf of the individuals for whom services are sought.

15 (8) The Office of the Attorney General shall determine the name of each obligor who  
16 owes an arrearage of at least two thousand five hundred dollars (\$2,500). After  
17 notification to the obligor owing an arrearage amount of two thousand five hundred  
18 dollars (\$2,500), the office shall transmit to the United States secretary of health  
19 and human services the certified names of the individuals and supporting  
20 documentation for the denial, revocation, or limitation of the obligor's passport. The  
21 office shall notify the identified obligor of the determination and the consequences  
22 and provide an opportunity to contest the determination.

23 (9) The Office of the Attorney General shall determine the name of an obligor owing  
24 an arrearage and shall indefinitely deny, suspend, or revoke a license or certification  
25 that has been issued if the person has a child support arrearage that equals or  
26 exceeds the amount that would be owed after six (6) months of nonpayment or fails,  
27 after receiving appropriate notice, to comply with subpoenas or warrants relating to

- 1           paternity or child support proceedings as provided by 42 U.S.C. sec. 666(a)(16).
- 2   (10) The Office of the Attorney General shall forward the name of the individual to a  
3       board of licensure or board of certification for the notification of the denial,  
4       revocation, or suspension of a driver's license, professional license or certification,  
5       occupational license or certification, recreational license, or sporting license.
- 6   (11) The denial or suspension shall remain in effect until the child support arrearage has  
7       been eliminated or payments on the child support arrearage are being made in  
8       accordance with a court or administrative order, the person complies with the  
9       subpoena or warrant relating to paternity or child support proceedings, or the appeal  
10      of the denial or suspension is upheld and the license is reinstated.
- 11   (12) Except for cases administered by the Office of the Attorney General under 42  
12      U.S.C. sec. 651 et seq. which shall be afforded the appeal process set forth by KRS  
13      405.450(3), an individual who has a license or certification denied, revoked, or  
14      suspended shall have the right to appeal to the licensing or certifying board.
- 15   (13) A dispute hearing shall be conducted by the Office of the Attorney General in  
16      accordance with KRS 405.450. The only basis for a dispute hearing shall be a  
17      mistake in fact.
- 18   (14) The Office of the Attorney General shall in its discretion enter into agreements with  
19      financial institutions doing business in the Commonwealth to develop and operate,  
20      in coordination with the financial institutions, a data match system as required by  
21      KRS 15.844, 15.846, 15.848, and 15.850.
- 22   (15) The Office of the Attorney General may issue both intrastate and interstate  
23      administrative subpoenas to any individual or entity for financial or other  
24      information or documents that are needed to establish, modify, or enforce a child  
25      support obligation pursuant to Title IV-D of the Social Security Act, 42 U.S.C. sec.  
26      651 et seq. An administrative subpoena lawfully issued in another state to an  
27      individual or entity in this state shall be honored and enforced in the Circuit Court



1 of the county in which the individual or entity resides.

2 (16) The Office of the Attorney General shall promulgate administrative regulations in  
3 accordance with KRS Chapter 13A to implement KRS 15.055.

4 (17) The Office of the Attorney General shall compare a quarterly report provided by the  
5 Finance and Administration Cabinet of all tort claims made against the state by  
6 individuals with the child support database to match individuals who have a child  
7 support arrearage and may receive a settlement from the state.

8 (18) The Office of the Attorney General shall prepare and distribute to the office's  
9 designee for the administration of the child support program information on child  
10 support collections and enforcement. The information shall include a description of  
11 how child support obligations are:

12 (a) Established;

13 (b) Modified;

14 (c) Enforced;

15 (d) Collected; and

16 (e) Distributed.

17 (19) The Office of the Attorney General's designee for the administration of the child  
18 support program shall distribute, when appropriate, the following:

19 (a) Information on child support collections and enforcement; and

20 (b) Job listings posted by employment services.

21 ➔Section 4. KRS 44.030 is amended to read as follows:

22 (1) No money shall be paid to any person on a claim against the state in his or her own  
23 right, or as an assignee of another, when the person or the person's assignor is  
24 indebted to the state or any local government. The claim, to the extent it is allowed,  
25 shall first be credited to the account of the person indebted to the state, and if there  
26 is any balance due the person after settling the whole demand of the state, any  
27 certified liquidated debts of any local government shall be paid if the local

1 government provides information concerning the liquidated debt to the State  
2 Treasurer. If there is any balance due the person after settling the whole demand of  
3 the state or local governments, and if there are not liquidated debts certified against  
4 the claim pursuant to KRS 44.065, that balance shall be paid to the person.

5 (2) In case of multiple claims by state agencies, the claims shall be paid as follows:

6 (a) First, to any claim made by the Office of the Attorney General~~[Cabinet for~~  
7 ~~Health and Family Services]~~ for past due child support obligations;

8 (b) Second, to any claim filed by the Finance and Administration Cabinet,  
9 Department of Revenue, for taxes owed the Commonwealth; and

10 (c) Third, to all other state agencies in the order that the claims were filed with  
11 the State Treasury.

12 (3) In the case of multiple claims filed by any local government, the claims shall be  
13 paid in the order that the claims were filed with the State Treasury.

14 (4) No money shall be paid to any person on a claim against a local government in his  
15 or her own right, or as an assignee of another, when the person or the person's  
16 assignor is indebted to the local government or the state. The claim, to the extent it  
17 is allowed, shall first be credited to any debt of the person indebted to the local  
18 government, and if there is any balance due the person after settling the whole  
19 demand of the local government, any certified liquidated debts of the state shall be  
20 paid if the state provides the local government with information concerning the  
21 liquidated debt. If there is any balance due the person after settling the whole  
22 demand of the local government or the state, that balance shall be paid to the  
23 person.

24 (5) The Finance and Administration Cabinet shall provide the Office of the Attorney  
25 General~~[Cabinet for Health and Family Services]~~ with a quarterly report of all tort  
26 claims made against the state by individuals that the Office of the Attorney  
27 General~~[Cabinet for Health and Family Services]~~ shall compare with the child

1 support database to match individuals who have a child support arrearage and may  
2 receive a settlement from the state.

3 (6) Each organizational unit and administrative body in the executive branch of state  
4 government, as defined in KRS 12.010, the Court of Justice in the judicial branch of  
5 state government, and, where feasible, any local government shall provide  
6 information to the State Treasurer concerning any debt it has referred to the  
7 Department of Revenue for collection under KRS 45.241.

8 (7) Each agency, the Court of Justice, and, where feasible, any local government shall  
9 provide information to the State Treasurer concerning any debt referred to the  
10 Department of Revenue for collection under KRS 45.237.

11 ➔Section 5. KRS 154A.060 is amended to read as follows:

12 (1) The corporation shall conduct and administer lottery games which will result in  
13 maximization of revenues to the Commonwealth of Kentucky while at the same  
14 time provide entertainment to its citizens. It shall be the duty of the corporation, its  
15 employees, and the members of the board to provide for the effective operation of  
16 lottery games which insure the integrity of the lottery and maintain the dignity of  
17 the Commonwealth and the general welfare of its citizens. The corporation, in  
18 pursuit of the attainment of the objectives and the purposes of this chapter, may:

19 (a) Sue and be sued in its corporate name;

20 (b) Adopt a corporate seal and a symbol;

21 (c) Hold copyrights, trademarks, and service marks, and enforce its rights with  
22 respect thereto;

23 (d) Appoint agents upon which process may be served;

24 (e) Enter into written agreements with one (1) or more other states for the  
25 operation, marketing, and promotion of a joint lottery or joint lottery games;

26 (f) Acquire real property and make improvements thereon. These acquisitions  
27 shall be reported to the Capital Projects and Bond Oversight Committee for its

- 1 review and determination in accordance with KRS 45.750 to 45.810; and
- 2 (g) Make, execute, and effectuate any and all agreements or contracts including:
- 3 1. Contracts for the purchase of such goods and services as are necessary
- 4 for the operation and promotion of the state lottery. Proposed purchases
- 5 of major items of equipment estimated to cost one hundred thousand
- 6 dollars (\$100,000) or more and proposed purchases of items of
- 7 equipment where the estimated contract price for all the items of
- 8 equipment taken together is four hundred thousand dollars (\$400,000) or
- 9 more shall be reported to the Capital Projects and Bond Oversight
- 10 Committee for its review and determination in accordance with the
- 11 provisions of KRS 45.750 to 45.810. A contract shall not be artificially
- 12 divided to cause an estimated contract price to fall below the four
- 13 hundred thousand dollar (\$400,000) threshold. Contracts for personal
- 14 service shall be reviewed in accordance with KRS 45A.690 to 45A.725.
- 15 2. Contracts to incur debt in its own name and enter into financing
- 16 agreements with the Commonwealth, its own agencies, or with a
- 17 commercial bank, excluding the authority to issue bonds.
- 18 (2) The corporation shall:
- 19 (a) Supervise and administer the lottery in accordance with the provisions of this
- 20 chapter and the administrative regulations adopted by the board;
- 21 (b) Submit monthly and annual reports to the Governor, the President of the
- 22 Senate, and the Speaker of the House of Representatives containing financial
- 23 statements which include but are not limited to disclosure of gross revenues,
- 24 expenses, and net proceeds for the period;
- 25 (c) Adopt by administrative regulation a system of continuous internal audits;
- 26 (d) Maintain weekly or more frequent records of lottery transactions, including
- 27 distribution of tickets to lottery retailers, revenues received, claims for prizes,

- 1 prizes paid, and all other financial transactions of the corporation;
- 2 (e) Adopt by administrative regulation a code of ethics for officers and  
3 employees of the corporation to carry out the standards of conduct established  
4 by the provisions of this chapter;
- 5 (f) Include capital projects, as defined in KRS 45.750(1)(f), which exceed the  
6 thresholds set forth in KRS 154A.060(1)(g)1. in the budget unit request  
7 submitted by the corporation to the Finance and Administration Cabinet  
8 pursuant to KRS 48.050. In the budget unit request submitted by the  
9 corporation, a contingency item for acquisition of the on-line central system,  
10 all related equipment, and any other equipment owned by vendors of the  
11 corporation relating to computer-generated lottery games from the  
12 corporation's vendors shall be stated separately from all other equipment.  
13 Further, if the identification of specific projects requiring the acquisition of  
14 equipment in the nature of computer systems, communications equipment and  
15 related peripheral devices, and operating system software cannot be  
16 ascertained with absolute certainty at the time the corporation is required to  
17 submit its budget unit request, the corporation shall be entitled to submit a  
18 general request for the equipment without individually identifying specific  
19 projects, together with a maximum amount to be allocated for the equipment,  
20 in the budget unit request;
- 21 (g) The Kentucky Lottery Corporation and the Office of the Attorney  
22 General~~[Cabinet for Health and Family Services]~~ shall develop a system to  
23 allow the Kentucky Lottery Corporation to receive a list of delinquent child  
24 support obligors from the Office of the Attorney General~~[Cabinet for Health~~  
25 ~~and Family Services]~~ on a monthly basis. The Kentucky Lottery Corporation  
26 shall withhold delinquent amounts from prizes of winners that appear on the  
27 list. This system shall be timely and shall not create an unavoidable delay in

1 the payment of a lottery prize; and

2 (h) The Kentucky Lottery Corporation and the authority shall develop a system to  
3 allow the Kentucky Lottery Corporation to receive on a periodic basis a list of  
4 persons declared in default of repayment obligations under financial  
5 assistance programs in KRS Chapters 164 and 164A. The Kentucky Lottery  
6 Corporation shall withhold from a person's prize winnings the amount of the  
7 defaulted loan and shall transfer the amount to the authority to credit the  
8 account of the person in default. Any amount remaining after the deduction of  
9 the loan amount shall be paid to the person.

10 ➔Section 6. KRS 186.570 is amended to read as follows:

11 (1) The cabinet or its agent designated in writing for that purpose may deny any person  
12 an operator's license or may suspend the operator's license of any person, or, in the  
13 case of a nonresident, withdraw the privilege of operating a motor vehicle in this  
14 state, subject to a hearing and with or without receiving a record of conviction of  
15 that person of a crime, if the cabinet has reason to believe that:

16 (a) That person has committed any offenses for the conviction of which  
17 mandatory revocation of a license is provided by KRS 186.560;[~~]~~

18 (b) That person has, by reckless or unlawful operation of a motor vehicle, caused,  
19 or contributed to an accident resulting in death or injury or serious property  
20 damage;[~~]~~

21 (c) That person has a mental or physical disability that makes it unsafe for him to  
22 drive upon the highways. The Transportation Cabinet shall, by administrative  
23 regulations promulgated pursuant to KRS Chapter 13A, establish a medical  
24 review board to provide technical assistance in the review of the driving  
25 ability of these persons. The board shall consist of licensed medical and  
26 rehabilitation specialists;[~~]~~

27 (d) That person is an habitually reckless or negligent driver of a motor vehicle or

- 1 has committed a serious violation of the motor vehicle laws;~~[-]~~
- 2 (e) That person has been issued a license without making proper application for  
3 it, as provided in KRS 186.412 or 186.4121 and administrative regulations  
4 promulgated pursuant to KRS Chapter 13A;~~[-]~~
- 5 (f) That person has presented false or misleading information as to the person's  
6 residency, citizenship, religious convictions, or immigration status;~~[-]~~
- 7 (g) A person required by KRS 186.480 to take an examination has been issued a  
8 license without first having passed the examination;~~[-]~~
- 9 (h) That person has been convicted of assault and battery resulting from the  
10 operation of a motor vehicle;~~[-]~~
- 11 (i) That person has failed to appear pursuant to a citation or summons issued by a  
12 law enforcement officer of this Commonwealth or any other jurisdiction;~~[-]~~
- 13 (j) That person has failed to appear pursuant to an order by the court to produce  
14 proof of security required by KRS 304.39-010 and a receipt showing that a  
15 premium for a minimum policy period of six (6) months has been paid;~~or~~~~[-]~~
- 16 (k) That person is a habitual violator of KRS 304.39-080. For purposes of this  
17 section, a "habitual violator" shall mean any person who has operated a motor  
18 vehicle without security on the motor vehicle as required by Subtitle 39 of this  
19 chapter three (3) or more times within a five (5) year period, in violation of  
20 KRS 304.99-060(2).
- 21 (2) The cabinet shall deny any person a license or shall suspend the license of an  
22 operator of a motor vehicle upon receiving written notification from the ***Office of***  
23 ***the Attorney General***~~[Cabinet for Health and Family Services]~~ that the person has a  
24 child support arrearage which equals or exceeds the cumulative amount which  
25 would be owed after six (6) months of nonpayment or failure, after receiving  
26 appropriate notice, to comply with a subpoena or warrant relating to paternity or  
27 child support proceedings, as provided by 42 U.S.C. ~~sec.~~~~[secs.]~~ 651 et seq.~~[-]~~~~except~~

1       ~~that any child support arrearage which exists prior to January 1, 1994, shall not be~~  
2       ~~included in the calculation to determine whether the license of an operator of a~~  
3       ~~motor vehicle shall be denied or suspended.]~~ The denial or suspension shall  
4       continue until the arrearage has been eliminated, payments on the child support  
5       arrearage are being made in accordance with a court or administrative order, or the  
6       person complies with the subpoena or warrant relating to paternity or child support.  
7       Before the license may be reinstated, proof of elimination of the child support  
8       arrearage or proof of compliance with the subpoena or warrant relating to paternity  
9       or child support proceedings as provided by 42 U.S.C. sec. 666(a)(16) from the  
10       court where the action is pending or the Office of the Attorney General~~[Cabinet for~~  
11       ~~Health and Family Services]~~ shall be received by the Transportation Cabinet as  
12       prescribed by administrative regulations promulgated by the Office of the Attorney  
13       General~~[Cabinet for Health and Family Services]~~ and the Transportation Cabinet.

14       (3) The cabinet or its agent designated in writing for that purpose shall deny any person  
15       an operator's license or shall suspend the operator's license of any person, or, in the  
16       case of a nonresident, withdraw the privilege of operating a motor vehicle in this  
17       state:

18       (a) Where the person has been declared ineligible to operate a motor vehicle  
19       under KRS 532.356 for the duration of the ineligibility, upon notification of  
20       the court's judgment; or

21       (b) Upon receiving written notification from the Finance and Administration  
22       Cabinet, Department of Revenue, that the person is a delinquent taxpayer as  
23       provided in KRS 131.1817. The denial or suspension shall continue until a  
24       written tax clearance has been received by the cabinet from the Finance and  
25       Administration Cabinet, Department of Revenue. Notwithstanding the  
26       provisions of subsection (4) of this section, a person whose license is denied  
27       or suspended under this paragraph shall have thirty (30) days from the date



1           the cabinet mails the notice to request a hearing.

2   (4)   The cabinet or its agent designated in writing for that purpose shall provide any  
3       person subject to the suspension, revocation, or withdrawal of their driving  
4       privileges, under provisions of this section, an informal hearing. Upon determining  
5       that the action is warranted, the cabinet shall notify the person in writing by mailing  
6       the notice to the person by first-class mail to the last known address of the person.  
7       The hearing shall be automatically waived if not requested within twenty (20) days  
8       after the cabinet mails the notice. The hearing shall be scheduled as early as  
9       practical within twenty (20) days after receipt of the request at a time and place  
10      designated by the cabinet. An aggrieved party may appeal a decision rendered as a  
11      result of an informal hearing, and upon appeal an administrative hearing shall be  
12      conducted in accordance with KRS Chapter 13B.

13   (5)   (a)   The cabinet may suspend the operator's license of any resident upon receiving  
14      notice of the conviction of that person in another state of an offense there  
15      which, if committed in this state, would be grounds for the suspension or  
16      revocation of an operator's license. The cabinet shall not suspend an operator's  
17      license under this paragraph if:

- 18          1.    The conviction causing the suspension or revocation is more than five  
19               (5) years old;
- 20          2.    The conviction is for a traffic offense other than a felony traffic offense  
21               or a habitual violator offense; and
- 22          3.    The license holder complies with the provisions of KRS 186.442.

23   (b)   If, at the time of application for an initial Kentucky operator's license, a  
24      person's license is suspended or revoked in another state for a conviction that  
25      is less than five (5) years old, the cabinet shall deny the person a license until  
26      the person resolves the matter in the other state and complies with the  
27      provisions of this chapter.

1 (c) The cabinet may, upon receiving a record of the conviction in this state of a  
2 nonresident driver of a motor vehicle of any offense under the motor vehicle  
3 laws, forward a notice of that person's conviction to the proper officer in the  
4 state of which the convicted person is a resident.

5 (d) This subsection shall not apply to a commercial driver's license.

6 (6) The Transportation Cabinet is forbidden from suspending or revoking an operator's  
7 license or assessing points or any other form of penalty against the license holder  
8 for speeding violations or speeding convictions from other states. This subsection  
9 shall apply only to speeding violations. This section shall not apply to a person who  
10 holds or is required to hold a commercial driver's license.

11 (7) Each operator's license which has been canceled, suspended, or revoked shall be  
12 surrendered to and destroyed by the cabinet. At the end of the period of  
13 cancellation, suspension, or revocation, the license holder may reapply under KRS  
14 186.412 or 186.4121, after the licensee has complied with all requirements for the  
15 issuance or reinstatement of his or her driving privilege.

16 (8) Insurance companies issuing motor vehicle policies in the Commonwealth shall be  
17 prohibited from raising a policyholder's rates solely because the policyholder's  
18 driving privilege has been suspended or denied pursuant to subsection (2) of this  
19 section.

20 ➔Section 7. KRS 237.110 is amended to read as follows:

21 (1) The Department of Kentucky State Police is authorized to issue and renew licenses  
22 to carry concealed firearms or other deadly weapons, or a combination thereof, to  
23 persons qualified as provided in this section.

24 (2) An original or renewal license issued pursuant to this section shall:

25 (a) Be valid throughout the Commonwealth and, except as provided in this  
26 section or other specific section of the Kentucky Revised Statutes or federal  
27 law, permit the holder of the license to carry firearms, ammunition, or other

- 1 deadly weapons, or a combination thereof, at any location in the  
2 Commonwealth;
- 3 (b) Unless revoked or suspended as provided by law, be valid for a period of five  
4 (5) years from the date of issuance;
- 5 (c) Authorize the holder of the license to carry a concealed firearm or other  
6 deadly weapon, or a combination thereof, on or about his or her person; and
- 7 (d) Authorize the holder of the license to carry ammunition for a firearm on or  
8 about his or her person.
- 9 (3) Prior to the issuance of an original or renewal license to carry a concealed deadly  
10 weapon, the Department of Kentucky State Police, upon receipt of a completed  
11 application, applicable fees, and any documentation required by this section or  
12 administrative regulation promulgated by the Department of Kentucky State Police,  
13 shall conduct a background check to ascertain whether the applicant is eligible  
14 under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law  
15 to purchase, receive, or possess a firearm or ammunition, or both. The background  
16 check shall include:
- 17 (a) A state records check covering the items specified in this subsection, together  
18 with any other requirements of this section;
- 19 (b) A federal records check, which shall include a National Instant Criminal  
20 Background Check System (NICS) check;
- 21 (c) A federal Immigration Alien Query if the person is an alien who has been  
22 lawfully admitted to the United States by the United States government or an  
23 agency thereof; and
- 24 (d) In addition to the Immigration Alien Query, if the applicant has not been  
25 lawfully admitted to the United States under permanent resident status, the  
26 Department of Kentucky State Police shall, if a doubt exists relating to an  
27 alien's eligibility to purchase a firearm, consult with the United States

1 Department of Homeland Security, United States Department of Justice,  
2 United States Department of State, or other federal agency to confirm whether  
3 the alien is eligible to purchase a firearm in the United States, bring a firearm  
4 into the United States, or possess a firearm in the United States under federal  
5 law.

6 (4) The Department of Kentucky State Police shall issue an original or renewal license  
7 if the applicant:

8 (a) Is not prohibited from the purchase, receipt, or possession of firearms,  
9 ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or  
10 applicable federal or state law;

11 (b) 1. Is a citizen of the United States who is a resident of this  
12 Commonwealth;

13 2. Is a citizen of the United States who is a member of the Armed Forces  
14 of the United States who is on active duty, who is at the time of  
15 application assigned to a military posting in Kentucky;

16 3. Is lawfully admitted to the United States by the United States  
17 government or an agency thereof, is permitted by federal law to  
18 purchase a firearm, and is a resident of this Commonwealth; or

19 4. Is lawfully admitted to the United States by the United States  
20 government or an agency thereof, is permitted by federal law to  
21 purchase a firearm, is, at the time of the application, assigned to a  
22 military posting in Kentucky, and has been assigned to a posting in the  
23 Commonwealth;

24 (c) Is twenty-one (21) years of age or older;

25 (d) Has not been committed to a state or federal facility for the abuse of a  
26 controlled substance or been convicted of a misdemeanor violation of KRS  
27 Chapter 218A or similar laws of any other state relating to controlled

- 1 substances, within a three (3) year period immediately preceding the date on  
2 which the application is submitted;
- 3 (e) Does not chronically and habitually use alcoholic beverages as evidenced by  
4 the applicant having two (2) or more convictions for violating KRS 189A.010  
5 within the three (3) years immediately preceding the date on which the  
6 application is submitted, or having been committed as an alcoholic pursuant to  
7 KRS Chapter 222 or similar laws of another state within the three (3) year  
8 period immediately preceding the date on which the application is submitted;
- 9 (f) Does not owe a child support arrearage which equals or exceeds the  
10 cumulative amount which would be owed after one (1) year of nonpayment, if  
11 the Department of Kentucky State Police has been notified of the arrearage by  
12 the Office of the Attorney General~~[Cabinet for Health and Family Services]~~;
- 13 (g) Has complied with any subpoena or warrant relating to child support or  
14 paternity proceedings. If the Department of Kentucky State Police has not  
15 been notified by the Office of the Attorney General~~[Cabinet for Health and  
16 Family Services]~~ that the applicant has failed to meet this requirement, the  
17 Department of Kentucky State Police shall assume that paternity and child  
18 support proceedings are not an issue;
- 19 (h) Has not been convicted of a violation of KRS 508.030 or 508.080 within the  
20 three (3) years immediately preceding the date on which the application is  
21 submitted. The commissioner of the Department of Kentucky State Police  
22 may waive this requirement upon good cause shown and a determination that  
23 the applicant is not a danger and that a waiver would not violate federal law;
- 24 (i) Demonstrates competence with a firearm by successful completion of a  
25 firearms safety or training course that is conducted by a firearms instructor  
26 who is certified by a national organization with membership open to residents  
27 of any state or territory of the United States, which was created to promote

1 firearms education, safety, and the profession of firearms use and training, and  
2 to foster professional behavior in its members. The organization shall require  
3 members to adhere to its own code of ethics and conduct a program which  
4 certifies firearms instructors and includes the use of written tests, in person  
5 instruction, and a component of live-fire training. These national  
6 organizations shall include but are not limited to the National Rifle  
7 Association, the United States Concealed Carry Association, and the National  
8 Shooting Sports Foundation. The training requirement may also be fulfilled  
9 through any firearms safety course offered or approved by the Department of  
10 Criminal Justice Training. The firearms safety course offered or approved by  
11 the Department of Criminal Justice Training shall:

- 12 1. Be not more than eight (8) hours in length;
  - 13 2. Include instruction on handguns, the safe use of handguns, the care and  
14 cleaning of handguns, and handgun marksmanship principles;
  - 15 3. Include actual range firing of a handgun in a safe manner, and the firing  
16 of not more than twenty (20) rounds at a full-size silhouette target,  
17 during which firing, not less than eleven (11) rounds must hit the  
18 silhouette portion of the target; and
  - 19 4. Include information on and a copy of laws relating to possession and  
20 carrying of firearms, as set forth in KRS Chapters 237 and 527, and the  
21 laws relating to the use of force, as set forth in KRS Chapter 503; and
- 22 (j) Demonstrates knowledge of the law regarding the justifiable use of force by  
23 including with the application a copy of the concealed carry deadly weapons  
24 legal handout made available by the Department of Criminal Justice Training  
25 and a signed statement that indicates that applicant has read and understands  
26 the handout.

27 (5) (a) A legible photocopy or electronic copy of a certificate of completion issued

1 by a firearms instructor certified by a national organization or the Department  
2 of Criminal Justice Training shall constitute evidence of qualification under  
3 subsection (4)(i) of this section.

4 (b) Persons qualifying under subsection (6)(d) of this section may submit with  
5 their application:

6 1. At least one (1) of the following paper or electronic forms or their  
7 successor forms showing evidence of handgun training or handgun  
8 qualifications:

9 a. Department of Defense Form DD 2586;

10 b. Department of Defense Form DD 214;

11 c. Coast Guard Form CG 3029;

12 d. Department of the Army Form DA 88-R;

13 e. Department of the Army Form DA 5704-R;

14 f. Department of the Navy Form OPNAV 3591-1; or

15 g. Department of the Air Force Form AF 522; or

16 2. a. Documentary evidence of an honorable discharge; and

17 b. A notarized affidavit on a form provided by the Department of  
18 Kentucky State Police, signed under penalty of perjury, stating the  
19 person has met the training requirements of subsection (6)(d) of  
20 this section.

21 (6) (a) Peace officers who are currently certified as peace officers by the Kentucky  
22 Law Enforcement Council pursuant to KRS 15.380 to 15.404 and peace  
23 officers who are retired and are members of the Kentucky Employees  
24 Retirement System, State Police Retirement System, or County Employees  
25 Retirement System or other retirement system operated by or for a city,  
26 county, or urban-county in Kentucky shall be deemed to have met the training  
27 requirement.

- 1 (b) Current and retired peace officers of the following federal agencies shall be  
2 deemed to have met the training requirement:
- 3 1. Any peace officer employed by a federal agency specified in KRS  
4 61.365;
  - 5 2. Any peace officer employed by a federal civilian law enforcement  
6 agency not specified above who has successfully completed the basic  
7 law enforcement training course required by that agency;
  - 8 3. Any military peace officer of the United States Army, Navy, Marine  
9 Corps, or Air Force, or a reserve component thereof, or of the Army  
10 National Guard or Air National Guard who has successfully completed  
11 the military law enforcement training course required by that branch of  
12 the military;
  - 13 4. Any member of the United States Coast Guard serving in a peace officer  
14 role who has successfully completed the law enforcement training  
15 course specified by the United States Coast Guard.
- 16 (c) Corrections officers who are currently employed by a consolidated local  
17 government, an urban-county government, or the Department of Corrections  
18 who have successfully completed a basic firearms training course required for  
19 their employment, and corrections officers who were formerly employed by a  
20 consolidated local government, an urban-county government, or the  
21 Department of Corrections who are retired, and who successfully completed a  
22 basic firearms training course required for their employment, and are  
23 members of a state-administered retirement system or other retirement system  
24 operated by or for a city, county, or urban-county government in Kentucky  
25 shall be deemed to have met the training requirement.
- 26 (d) Active or honorably discharged service members in the United States Army,  
27 Navy, Marine Corps, Air Force, or Coast Guard, or a reserve component



1           thereof, or of the Army National Guard or Air National Guard shall be  
2           deemed to have met the training requirement if these persons:

3           1.   Successfully completed handgun training which was conducted by the  
4           United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or  
5           a reserve component thereof, or of the Army National Guard or Air  
6           National Guard; or

7           2.   Successfully completed handgun qualification within the United States  
8           Army, Navy, Marine Corps, Air Force, or Coast Guard, or a reserve  
9           component thereof, or of the Army Guard or Air Force National Guard.

10       (7) (a) 1.   A paper application for a license, or renewal of a license, to carry a  
11           concealed deadly weapon shall be obtained from and submitted to the  
12           office of the sheriff in the county in which the person resides.

13           2.   An applicant, in lieu of a paper application, may submit an electronic  
14           application for a license, or renewal of a license, to carry a concealed  
15           deadly weapon to the Department of Kentucky State Police.

16           3.   Persons qualifying under subsection (6)(d) of this section shall be  
17           supplied the information in subsection (4)(i)4. of this section upon  
18           obtaining an application.

19       (b) 1.   The completed paper application and any documentation required by  
20           this section plus an application fee or renewal fee, as appropriate, of  
21           sixty dollars (\$60) shall be presented to the office of the sheriff of the  
22           county in which the applicant resides.

23           2.   The sheriff shall transmit the paper application and accompanying  
24           material to the Department of Kentucky State Police within five (5)  
25           working days.

26           3.   Twenty dollars (\$20) of the paper application fee shall be retained by the  
27           office of the sheriff for official expenses of the office. Twenty dollars

1 (\$20) shall be sent to the Department of Kentucky State Police with the  
2 application. Ten dollars (\$10) shall be transmitted by the sheriff to the  
3 Administrative Office of the Courts to fund background checks for  
4 youth leaders, and ten dollars (\$10) shall be transmitted to the  
5 Administrative Office of the Courts to fund background checks for  
6 applicants for concealed weapons.

7 (c) 1. A completed electronic application submitted in lieu of a paper  
8 application, any documentation required by this section, and an  
9 application fee or renewal fee, as appropriate, of seventy dollars (\$70)  
10 shall be presented to the Department of Kentucky State Police.

11 2. If an electronic application is submitted in lieu of a paper application,  
12 thirty dollars (\$30) of the electronic application fee shall be retained by  
13 the Department of Kentucky State Police. Twenty dollars (\$20) shall be  
14 sent to the office of the sheriff of the applicant's county of residence for  
15 official expenses of the office. Ten dollars (\$10) shall be transmitted to  
16 the Administrative Office of the Courts to fund background checks for  
17 youth leaders, and ten dollars (\$10) shall be transmitted to the  
18 Administrative Office of the Courts to fund background checks for  
19 applicants for concealed weapon carry permits.

20 (d) A full-time or part-time peace officer who is currently certified as a peace  
21 officer by the Kentucky Law Enforcement Council and who is authorized by  
22 his or her employer or government authority to carry a concealed deadly  
23 weapon at all times and all locations within the Commonwealth pursuant to  
24 KRS 527.020, or a retired peace officer who is a member of the Kentucky  
25 Employees Retirement System, State Police Retirement System, County  
26 Employees Retirement System, or other retirement system operated by or for  
27 a city, county, or urban-county government in Kentucky, shall be exempt

1 from paying the paper or electronic application or renewal fees.

2 (e) The application, whether paper or electronic, shall be completed, under oath,  
3 on a form or in a manner promulgated by the Department of Kentucky State  
4 Police by administrative regulation which shall include:

5 1. a. The name, address, place and date of birth, citizenship, gender,  
6 Social Security number of the applicant; and

7 b. If not a citizen of the United States, alien registration number if  
8 applicable, passport number, visa number, mother's maiden name,  
9 and other information necessary to determine the immigration  
10 status and eligibility to purchase a firearm under federal law of a  
11 person who is not a citizen of the United States;

12 2. A statement that, to the best of his or her knowledge, the applicant is in  
13 compliance with criteria contained within subsections (3) and (4) of this  
14 section;

15 3. A statement that the applicant, if qualifying under subsection (6)(d) of  
16 this section, has provided:

17 a. At least one (1) of the forms listed in subsection (5) of this section;  
18 or

19 b. i. Documentary evidence of an honorable discharge; and

20 ii. A notarized affidavit on a form provided by the Department  
21 of Kentucky State Police stating the person has met the  
22 training requirements of subsection (6)(d) of this section;

23 4. A statement that the applicant has been furnished a copy of this section  
24 and is knowledgeable about its provisions;

25 5. A statement that the applicant has been furnished a copy of, has read,  
26 and understands KRS Chapter 503 as it pertains to the use of deadly  
27 force for self-defense in Kentucky; and

- 1           6. A conspicuous warning that the application is executed under oath and  
2           that a materially false answer to any question, or the submission of any  
3           materially false document by the applicant, subjects the applicant to  
4           criminal prosecution under KRS 523.030.
- 5 (8) The applicant shall submit to the sheriff of the applicant's county of residence or  
6       county of military posting if submitting a paper application, or to the Department of  
7       Kentucky State Police if submitting an electronic application:
- 8       (a) A completed application as described in subsection (7) of this section;  
9       (b) A recent color photograph of the applicant, as prescribed by administrative  
10       regulation;  
11       (c) A paper or electronic certificate or an affidavit or document as described in  
12       subsection (5) of this section;  
13       (d) A paper or electronic document establishing the training exemption as  
14       described in subsection (6) of this section; and  
15       (e) For an applicant who is not a citizen of the United States and has been  
16       lawfully admitted to the United States by the United States government or an  
17       agency thereof, an affidavit as prescribed by administrative regulation  
18       concerning his or her immigration status and his or her United States  
19       government issued:
- 20           1. Permanent Resident Card I-551 or its equivalent successor  
21           identification;  
22           2. Other United States government issued evidence of lawful admission to  
23           the United States which includes the category of admission, if admission  
24           has not been granted as a permanent resident; and  
25           3. Evidence of compliance with the provisions of 18 U.S.C. sec. 922(g)(5),  
26           18 U.S.C. sec. 922(d)(5), or 18 U.S.C. sec. 922(y)(2), and 27 C.F.R. Part  
27           178, including, as appropriate, but not limited to evidence of ninety (90)

1 day residence in the Commonwealth, a valid current Kentucky hunting  
2 license if claiming exemption as a hunter, or other evidence of eligibility  
3 to purchase a firearm by an alien which is required by federal law or  
4 regulation.

5 If an applicant presents identification specified in this paragraph, the sheriff  
6 shall examine the identification, may record information from the  
7 identification presented, and shall return the identification to the applicant.

8 (9) The Department of Kentucky State Police shall, within sixty (60) days after the date  
9 of receipt of the items listed in subsection (8) of this section if the applicant  
10 submitted a paper application, or within fifteen (15) business days after the date of  
11 receipt of the items listed in subsection (8) of this section if the applicant applied  
12 electronically, either:

13 (a) Issue the license; or

14 (b) Deny the application based solely on the grounds that the applicant fails to  
15 qualify under the criteria listed in subsection (3) or (4) of this section. If the  
16 Department of Kentucky State Police denies the application, it shall notify the  
17 applicant in writing, stating the grounds for denial and informing the applicant  
18 of a right to submit, within thirty (30) days, any additional documentation  
19 relating to the grounds of denial. Upon receiving any additional  
20 documentation, the Department of Kentucky State Police shall reconsider its  
21 decision and inform the applicant within twenty (20) days of the result of the  
22 reconsideration. The applicant shall further be informed of the right to seek de  
23 novo review of the denial in the District Court of his or her place of residence  
24 within ninety (90) days from the date of the letter advising the applicant of the  
25 denial.

26 (10) The Department of Kentucky State Police shall maintain an automated listing of  
27 license holders and pertinent information, and this information shall be available

1 upon request, at all times to all Kentucky, federal, and other states' law enforcement  
2 agencies. A request for the entire list of licensees, or for all licensees in a  
3 geographic area, shall be denied. Only requests relating to a named licensee shall be  
4 honored or available to law enforcement agencies. Information on applications for  
5 licenses, names and addresses, or other identifying information relating to license  
6 holders shall be confidential and shall not be made available except to law  
7 enforcement agencies. No request for lists of local or statewide permit holders shall  
8 be made to any state or local law enforcement agency, peace officer, or other  
9 agency of government other than the Department of Kentucky State Police, and no  
10 state or local law enforcement agency, peace officer, or agency of government,  
11 other than the Department of Kentucky State Police, shall provide any information  
12 to any requester not entitled to it by law.

13 (11) Within thirty (30) days after the changing of a permanent address, or within thirty  
14 (30) days after the loss, theft, or destruction of a license, the licensee shall notify the  
15 Department of Kentucky State Police of the loss, theft, or destruction. Failure to  
16 notify the Department of Kentucky State Police shall constitute a noncriminal  
17 violation with a penalty of twenty-five dollars (\$25) payable to the clerk of the  
18 District Court. No court costs shall be assessed for a violation of this subsection.  
19 When a licensee makes application to change his or her residence address or other  
20 information on the license, neither the sheriff nor the Department of Kentucky State  
21 Police shall require a surrender of the license until a new license is in the office of  
22 the applicable sheriff and available for issuance. Upon the issuance of a new  
23 license, the old license shall be destroyed by the sheriff.

24 (12) If a license is lost, stolen, or destroyed, the license shall be automatically invalid,  
25 and the person to whom the same was issued may, upon payment of fifteen dollars  
26 (\$15) for a paper request, or twenty-five dollars (\$25) for an electronic request  
27 submitted in lieu of a paper request, to the Department of Kentucky State Police,

1 obtain a duplicate, upon furnishing a notarized statement to the Department of  
2 Kentucky State Police that the license has been lost, stolen, or destroyed.

3 (13) (a) The commissioner of the Department of Kentucky State Police, or his or her  
4 designee in writing, shall revoke the license of any person who becomes  
5 permanently ineligible to be issued a license or have a license renewed under  
6 the criteria set forth in this section.

7 (b) The commissioner of the Department of Kentucky State Police, or his or her  
8 designee in writing, shall suspend the license of any person who becomes  
9 temporarily ineligible to be issued a license or have a license renewed under  
10 the criteria set forth in this section. The license shall remain suspended until  
11 the person is again eligible for the issuance or renewal of a license.

12 (c) Upon the suspension or revocation of a license, the commissioner of the  
13 Department of Kentucky State Police, or his or her designee in writing, shall:

14 1. Order any peace officer to seize the license from the person whose  
15 license was suspended or revoked; or

16 2. Direct the person whose license was suspended or revoked to surrender  
17 the license to the sheriff of the person's county of residence within two  
18 (2) business days of the receipt of the notice.

19 (d) If the person whose license was suspended or revoked desires a hearing on the  
20 matter, the person shall surrender the license as provided in paragraph (c)2. of  
21 this subsection and petition the commissioner of the Department of Kentucky  
22 State Police to hold a hearing on the issue of suspension or revocation of the  
23 license.

24 (e) Upon receipt of the petition, the commissioner of the Department of Kentucky  
25 State Police shall cause a hearing to be held in accordance with KRS Chapter  
26 13B on the suspension or revocation of the license. If the license has not been  
27 surrendered, no hearing shall be scheduled or held.

- 1 (f) If the hearing officer determines that the licensee's license was wrongly  
2 suspended or revoked, the hearing officer shall order the commissioner of the  
3 Department of Kentucky State Police to return the license and abrogate the  
4 suspension or revocation of the license.
- 5 (g) Any party may appeal a decision pursuant to this subsection to the District  
6 Court in the licensee's county of residence in the same manner as for the  
7 denial of a license.
- 8 (h) If the license is not surrendered as ordered, the commissioner of the  
9 Department of Kentucky State Police shall order a peace officer to seize the  
10 license and deliver it to the commissioner.
- 11 (i) Failure to surrender a suspended or revoked license as ordered is a Class A  
12 misdemeanor.
- 13 (j) The provisions of this subsection relating to surrender of a license shall not  
14 apply if a court of competent jurisdiction has enjoined its surrender.
- 15 (k) When a domestic violence order or emergency protective order is issued  
16 pursuant to the provisions of KRS Chapter 403 against a person holding a  
17 license issued under this section, the holder of the permit shall surrender the  
18 license to the court or to the officer serving the order. The officer to whom the  
19 license is surrendered shall forthwith transmit the license to the court issuing  
20 the order. The license shall be suspended until the order is terminated, or until  
21 the judge who issued the order terminates the suspension prior to the  
22 termination of the underlying domestic violence order or emergency  
23 protective order, in writing and by return of the license, upon proper motion  
24 by the license holder. Subject to the same conditions as above, a peace officer  
25 against whom an emergency protective order or domestic violence order has  
26 been issued shall not be permitted to carry a concealed deadly weapon when  
27 not on duty, the provisions of KRS 527.020 to the contrary notwithstanding.



- 1 (14) (a) Not less than one hundred twenty (120) days prior to the expiration date of the  
2 license, the Department of Kentucky State Police shall mail to each licensee a  
3 written notice of the expiration and a renewal form prescribed by the  
4 Department of Kentucky State Police. The outside of the envelope containing  
5 the license renewal notice shall bear only the name and address of the  
6 applicant. No other information relating to the applicant shall appear on the  
7 outside of the envelope sent to the applicant. The licensee may renew his or  
8 her license on or before the expiration date by filing with the sheriff of his or  
9 her county of residence the paper renewal form, or by filing with the  
10 Department of Kentucky State Police an electronic renewal form in lieu of a  
11 paper renewal form, stating that the licensee remains qualified pursuant to the  
12 criteria specified in subsections (3) and (4) of this section, and the required  
13 renewal fee set forth in subsection (7) of this section. The sheriff shall issue to  
14 the applicant a receipt for the paper application for renewal of the license and  
15 shall date the receipt. The Department of Kentucky State Police shall issue to  
16 the applicant a receipt for an electronic application for renewal of the license  
17 submitted in lieu of a paper application for renewal and shall date the receipt.
- 18 (b) A license which has expired shall be void and shall not be valid for any  
19 purpose other than surrender to the sheriff in exchange for a renewal license.
- 20 (c) The license shall be renewed to a qualified applicant upon receipt of the  
21 completed renewal application, records check as specified in subsection (3) of  
22 this section, determination that the renewal applicant is not ineligible for a  
23 license as specified in subsection (4), and appropriate payment of fees. Upon  
24 the issuance of a new license, the old license shall be destroyed by the sheriff.  
25 A licensee who fails to file a renewal application on or before its expiration  
26 date may renew his or her license by paying, in addition to the license fees, a  
27 late fee of fifteen dollars (\$15). No license shall be renewed six (6) months or

1 more after its expiration date, and the license shall be deemed to be  
2 permanently expired six (6) months after its expiration date. A person whose  
3 license has permanently expired may reapply for licensure pursuant to  
4 subsections (7), (8), and (9) of this section.

5 (15) The licensee shall carry the license at all times the licensee is carrying a concealed  
6 firearm or other deadly weapon and shall display the license upon request of a law  
7 enforcement officer. Violation of the provisions of this subsection shall constitute a  
8 noncriminal violation with a penalty of twenty-five dollars (\$25), payable to the  
9 clerk of the District Court, but no court costs shall be assessed.

10 (16) Except as provided in KRS 527.020, no license issued pursuant to this section shall  
11 authorize any person to carry a concealed firearm into:

- 12 (a) Any police station or sheriff's office;
- 13 (b) Any detention facility, prison, or jail;
- 14 (c) Any courthouse, solely occupied by the Court of Justice courtroom, or court  
15 proceeding;
- 16 (d) Any meeting of the governing body of a county, municipality, or special  
17 district; or any meeting of the General Assembly or a committee of the  
18 General Assembly, except that nothing in this section shall preclude a member  
19 of the body, holding a concealed deadly weapon license, from carrying a  
20 concealed deadly weapon at a meeting of the body of which he or she is a  
21 member;
- 22 (e) Any portion of an establishment licensed to dispense beer or alcoholic  
23 beverages for consumption on the premises, which portion of the  
24 establishment is primarily devoted to that purpose;
- 25 (f) Any elementary or secondary school facility without the consent of school  
26 authorities as provided in KRS 527.070, any child-caring facility as defined in  
27 KRS 199.011, any day-care center as defined in KRS 199.894, or any certified

- 1 family child-care home as defined in KRS 199.8982, except however, any  
2 owner of a certified child-care home may carry a concealed firearm into the  
3 owner's residence used as a certified child-care home;
- 4 (g) An area of an airport to which access is controlled by the inspection of  
5 persons and property; or
- 6 (h) Any place where the carrying of firearms is prohibited by federal law.
- 7 (17) The owner, business or commercial lessee, or manager of a private business  
8 enterprise, day-care center as defined in KRS 199.894 or certified or licensed  
9 family child-care home as defined in KRS 199.8982, or a health-care facility  
10 licensed under KRS Chapter 216B, except facilities renting or leasing housing, may  
11 prohibit persons holding concealed deadly weapon licenses from carrying  
12 concealed deadly weapons on the premises and may prohibit employees, not  
13 authorized by the employer, holding concealed deadly weapons licenses from  
14 carrying concealed deadly weapons on the property of the employer. If the building  
15 or the premises are open to the public, the employer or business enterprise shall  
16 post signs on or about the premises if carrying concealed weapons is prohibited.  
17 Possession of weapons, or ammunition, or both in a vehicle on the premises shall  
18 not be a criminal offense so long as the weapons, or ammunition, or both are not  
19 removed from the vehicle or brandished while the vehicle is on the premises. A  
20 private but not a public employer may prohibit employees or other persons holding  
21 a concealed deadly weapons license from carrying concealed deadly weapons, or  
22 ammunition, or both in vehicles owned by the employer, but may not prohibit  
23 employees or other persons holding a concealed deadly weapons license from  
24 carrying concealed deadly weapons, or ammunition, or both in vehicles owned by  
25 the employee, except that the Justice and Public Safety Cabinet may prohibit an  
26 employee from carrying any weapons, or ammunition, or both other than the  
27 weapons, or ammunition, or both issued or authorized to be used by the employee

1 of the cabinet, in a vehicle while transporting persons under the employee's  
2 supervision or jurisdiction. Carrying of a concealed weapon, or ammunition, or both  
3 in a location specified in this subsection by a license holder shall not be a criminal  
4 act but may subject the person to denial from the premises or removal from the  
5 premises, and, if an employee of an employer, disciplinary measures by the  
6 employer.

7 (18) All moneys collected by the Department of Kentucky State Police pursuant to this  
8 section shall be used to administer the provisions of this section and KRS 237.138  
9 to 237.142. By March 1 of each year, the Department of Kentucky State Police and  
10 the Administrative Office of the Courts shall submit reports to the Governor, the  
11 President of the Senate, and the Speaker of the House of Representatives, indicating  
12 the amounts of money collected and the expenditures related to this section, KRS  
13 237.138 to 237.142, and KRS 237.115, 244.125, 527.020, and 527.070, and the  
14 administration of the provisions of this section, KRS 237.138 to 237.142, and KRS  
15 237.115, 244.125, 527.020, and 527.070.

16 (19) The General Assembly finds as a matter of public policy that it is necessary to  
17 provide statewide uniform standards for issuing licenses to carry concealed firearms  
18 and to occupy the field of regulation of the bearing of concealed firearms to ensure  
19 that no person who qualifies under the provisions of this section is denied his rights.  
20 The General Assembly does not delegate to the Department of Kentucky State  
21 Police the authority to regulate or restrict the issuing of licenses provided for in this  
22 section beyond those provisions contained in this section. This section shall be  
23 liberally construed to carry out the constitutional right to bear arms for self-defense.

24 (20) (a) A person who is not a resident of Kentucky and who has a valid license issued  
25 by another state of the United States to carry a concealed deadly weapon in  
26 that state may, subject to provisions of Kentucky law, carry a concealed  
27 deadly weapon in Kentucky, and his or her license shall be considered as valid

1 in Kentucky.

2 (b) If a person with a valid license to carry a concealed deadly weapon issued  
3 from another state that has entered into a reciprocity agreement with the  
4 Department of Kentucky State Police becomes a resident of Kentucky, the  
5 license issued by the other state shall be considered as valid for the first one  
6 hundred twenty (120) days of the person's residence in Kentucky, if within  
7 sixty (60) days of moving to Kentucky, the person completes a form  
8 promulgated by the Department of Kentucky State Police which shall include:

9 1. A signed and notarized statement averring that to the best of his or her  
10 knowledge the person's license to carry a concealed deadly weapon is  
11 valid and in compliance with applicable out-of-state law, and has not  
12 been revoked or suspended for any reason except for valid forfeiture due  
13 to departure from the issuing state;

14 2. The person's name, date of birth, citizenship, gender, Social Security  
15 number if applicable, proof that he or she is a citizen of the United  
16 States, a permanent resident of the United States, or otherwise lawfully  
17 present in the United States, former out-of-state address, current address  
18 within the state of Kentucky, date on which Kentucky residence began,  
19 state which issued the concealed carry license, the issuing state's  
20 concealed carry license number, and the state of issuance of license; and

21 3. A photocopy of the person's out-of-state license to carry a concealed  
22 deadly weapon.

23 (c) Within sixty (60) days of moving to Kentucky, the person shall deliver the  
24 form and accompanying documents by registered or certified mail, return  
25 receipt requested, to the address indicated on the form provided by the  
26 Department of Kentucky State Police pursuant to this subsection.

27 (d) The out-of-state concealed carry license shall become invalid in Kentucky

1           upon the earlier of:

- 2           1.    The out-of-state person having resided in Kentucky for more than one
- 3                hundred twenty (120) days; or
- 4           2.    The person being issued a Kentucky concealed deadly weapon license
- 5                pursuant to this section.

6           (e)   The Department of Kentucky State Police shall, ~~not later than thirty (30) days~~  
7                ~~after July 15, 1998, and~~ not less than once every twelve (12) months ~~thereafter~~,  
8                ~~thereafter~~, make written inquiry of the concealed deadly weapon carrying  
9                licensing authorities in each other state as to whether a Kentucky resident may  
10              carry a concealed deadly weapon in their state based upon having a valid  
11              Kentucky concealed deadly weapon license, or whether a Kentucky resident  
12              may apply for a concealed deadly weapon carrying license in that state based  
13              upon having a valid Kentucky concealed deadly weapon license. The  
14              Department of Kentucky State Police shall attempt to secure from each other  
15              state permission for Kentucky residents who hold a valid Kentucky concealed  
16              deadly weapon license to carry concealed deadly weapons in that state, either  
17              on the basis of the Kentucky license or on the basis that the Kentucky license  
18              is sufficient to permit the issuance of a similar license by the other state. The  
19              Department of Kentucky State Police shall enter into a written reciprocity  
20              agreement with the appropriate agency in each state that agrees to permit  
21              Kentucky residents to carry concealed deadly weapons in the other state on  
22              the basis of a Kentucky-issued concealed deadly weapon license or that will  
23              issue a license to carry concealed deadly weapons in the other state based  
24              upon a Kentucky concealed deadly weapon license. If a reciprocity agreement  
25              is reached, the requirement to recontact the other state each twelve (12)  
26              months shall be eliminated as long as the reciprocity agreement is in force.  
27              The information shall be a public record and shall be available to individual

1 requesters free of charge for the first copy and at the normal rate for open  
2 records requests for additional copies.

3 (21) By March 1 of each year, the Department of Kentucky State Police shall submit a  
4 statistical report to the Governor, the President of the Senate, and the Speaker of the  
5 House of Representatives, indicating the number of licenses issued, revoked,  
6 suspended, and denied since the previous report and in total and also the number of  
7 licenses currently valid. The report shall also include the number of arrests,  
8 convictions, and types of crimes committed since the previous report by individuals  
9 licensed to carry concealed weapons.

10 (22) The following provisions shall apply to concealed deadly weapon training classes  
11 conducted by the Department of Criminal Justice Training or any other agency  
12 pursuant to this section:

13 (a) No concealed deadly weapon instructor trainer shall have his or her  
14 certification as a concealed deadly weapon instructor trainer reduced to that of  
15 instructor or revoked except after a hearing conducted pursuant to KRS  
16 Chapter 13B in which the instructor is found to have committed an act in  
17 violation of the applicable statutes or administrative regulations;

18 (b) No concealed deadly weapon instructor shall have his or her certification as a  
19 concealed deadly weapon instructor license suspended or revoked except after  
20 a hearing conducted pursuant to KRS Chapter 13B in which the instructor is  
21 found to have committed an act in violation of the applicable statutes or  
22 administrative regulations;

23 (c) The department shall not require prior notification that an applicant class or  
24 instructor class will be conducted by a certified instructor or instructor trainer;

25 (d) Each concealed deadly weapon instructor or instructor trainer who teaches a  
26 concealed deadly weapon applicant or concealed deadly weapon instructor  
27 class shall supply the Department of Criminal Justice Training with a class

1 roster indicating which students enrolled and successfully completed the class,  
2 and which contains the name and address of each student, within five (5)  
3 working days of the completion of the class. The information may be sent by  
4 mail, facsimile, email~~[e-mail]~~, or other method which will result in the receipt  
5 of or production of a hard copy of the information. The postmark, facsimile  
6 date, or e-mail date shall be considered as the date on which the notice was  
7 sent. Concealed deadly weapon class applicant, instructor, and instructor  
8 trainer information and records shall be confidential. The department may  
9 release to any person or organization the name, address, and telephone  
10 number of a concealed deadly weapon instructor or instructor trainer if that  
11 instructor or instructor trainer authorizes the release of the information in  
12 writing. The department shall include on any application for an instructor or  
13 instructor trainer certification a statement that the applicant either does or  
14 does not desire the applicant's name, address, and telephone number to be  
15 made public;

16 (e) An instructor trainer who assists in the conduct of a concealed deadly weapon  
17 instructor class or concealed deadly weapon applicant class for more than two  
18 (2) hours shall be considered as to have taught a class for the purpose of  
19 maintaining his or her certification. All class record forms shall include spaces  
20 for assistant instructors to sign and certify that they have assisted in the  
21 conduct of a concealed deadly weapon instructor or concealed deadly weapon  
22 class;

23 (f) An instructor who assists in the conduct of a concealed deadly weapon  
24 applicant class for more than two (2) hours shall be considered as to have  
25 taught a class for the purpose of maintaining his or her license. All class  
26 record forms shall include spaces for assistant instructors to sign and certify  
27 that they have assisted in the conduct of a concealed deadly weapon class;



1 (g) If the Department of Criminal Justice Training believes that a firearms  
2 instructor trainer or certified firearms instructor has not in fact complied with  
3 the requirements for teaching a certified firearms instructor or applicant class  
4 by not teaching the class as specified in KRS 237.126, or who has taught an  
5 insufficient class as specified in KRS 237.128, the department shall send to  
6 each person who has been listed as successfully completing the concealed  
7 deadly weapon applicant class or concealed deadly weapon instructor class a  
8 verification form on which the time, date, date of range firing if different from  
9 the date on which the class was conducted, location, and instructor of the class  
10 is listed by the department and which requires the person to answer "yes" or  
11 "no" to specific questions regarding the conduct of the training class. The  
12 form shall be completed under oath and shall be returned to the Department of  
13 Criminal Justice Training not later than forty-five (45) days after its receipt. A  
14 person who fails to complete the form, to sign the form, or to return the form  
15 to the Department of Criminal Justice Training within the time frame  
16 specified in this section or who, as a result of information on the returned  
17 form, is determined by the Department of Criminal Justice Training,  
18 following a hearing pursuant to KRS Chapter 13B, to not have received the  
19 training required by law shall have his or her concealed deadly weapon  
20 license revoked by the Department of Kentucky State Police, following a  
21 hearing conducted by the Department of Criminal Justice Training pursuant to  
22 KRS Chapter 13B, at which hearing the person is found to have violated the  
23 provisions of this section or who has been found not to have received the  
24 training required by law;

25 (h) The department shall annually, not later than December 31 of each year,  
26 report to the Legislative Research Commission:

27 1. The number of firearms instructor trainers and certified firearms

- 1           instructors whose certifications were suspended, revoked, denied, or  
2           who were otherwise disciplined;
- 3           2.    The reasons for the imposition of suspensions, revocations, denials, or  
4           other discipline; and
- 5           3.    Suggestions for improvement of the concealed deadly weapon applicant  
6           training program and instructor process;
- 7           (i)   If a concealed deadly weapon license holder is convicted of, pleads guilty to,  
8           or enters an Alford plea to a felony offense, then his or her concealed deadly  
9           weapon license shall be forthwith revoked by the Department of Kentucky  
10          State Police as a matter of law;
- 11          (j)   If a concealed deadly weapon instructor or instructor trainer is convicted of,  
12          pleads guilty to, or enters an Alford plea to a felony offense, then his or her  
13          concealed deadly weapon instructor certification or concealed deadly weapon  
14          instructor trainer certification shall be revoked by the Department of Criminal  
15          Justice Training as a matter of law; and
- 16          (k)   The following shall be in effect:
- 17                1.    Action to eliminate the firearms instructor trainer program is prohibited.  
18                The program shall remain in effect, and no firearms instructor trainer  
19                shall have his or her certification reduced to that of certified firearms  
20                instructor;
- 21                2.    The Department of Kentucky State Police shall revoke the concealed  
22                deadly weapon license of any person who received no firearms training  
23                as required by KRS 237.126 and administrative regulations, or who  
24                received insufficient training as required by KRS 237.128 and  
25                administrative regulations, if the person voluntarily admits nonreceipt of  
26                training or admits receipt of insufficient training, or if either nonreceipt  
27                of training or receipt of insufficient training is proven following a

1 hearing conducted by the Department of Criminal Justice Training  
2 pursuant to KRS Chapter 13B.

3 ➔Section 8. KRS 248.664 is amended to read as follows:

4 Before distribution of the funds, a list of individuals or entities that are awarded tobacco  
5 settlement moneys from the tobacco settlement agreement fund under KRS 248.654, or  
6 related state or federal legislation, shall be forwarded by the cabinet, agency, corporation,  
7 authority, or other entity responsible for the distribution of the moneys to all designees of  
8 the *Office of the Attorney General*~~[Cabinet for Health and Family Services]~~ for the  
9 administration of the child support program.

10 ➔Section 9. KRS 403.135 is amended to read as follows:

11 (1) If another section of this chapter or KRS 407.5311 or 407.5602 requires the  
12 provision of a personal identifier in a pleading, document, or exhibit filed with the  
13 court, the party making the filing shall provide the personal identifier in accordance  
14 with the Kentucky Rules of Civil Procedure.

15 (2) The clerk of the court shall allow the unredacted sealed copy of the pleading,  
16 document, or exhibit containing personal identifiers to be accessed only by a party  
17 to the case, an attorney of record in the case, a judge of the court or other authorized  
18 court personnel, a duly authorized employee or agent of the *Office of the Attorney*  
19 *General*~~[Cabinet for Health and Family Services]~~ involved in child support matters  
20 attendant to the case, or a person authorized to view the copy by specific order of  
21 the court.

22 (3) As used in this section, "personal identifier" means a Social Security number, name  
23 of minor child, date of birth, or financial account number.

24 ➔Section 10. KRS 405.060 is amended to read as follows:

25 (1) Any sale or conveyance made to a purchaser with notice or for the benefit of any  
26 religious society, if made in fraud or hindrance of the right of wife or child to  
27 maintenance, shall be void as against the wife or child.

1 (2) In any case where an obligor transfers income or property to avoid payment to a  
2 child support creditor, the transfer shall be indicia of fraud. Indicia of fraud creates  
3 a prima facie case that the transfer of income or property was to avoid payment of  
4 child support. Indicia of fraud shall be set forth by administrative regulation.

5 (3) In any case in which the Office of the Attorney General~~[cabinet]~~ knows of a  
6 transfer by a child support obligor with respect to which a prima facie case is  
7 established, the Office of the Attorney General~~[cabinet]~~ shall:

8 (a) Seek to void the transfer; or

9 (b) Obtain a settlement in the best interests of the child support creditor.

10 ➔Section 11. KRS 405.411 (Effective July 1, 2025) is amended to read as  
11 follows:

12 (1) The Office of the Attorney General's designee under KRS 15.802(6) for the  
13 administration of child support may compile a list of the names of persons under its  
14 jurisdiction who have a child support arrearage that equals or exceeds six (6)  
15 months without payment, or fail, after receiving appropriate notice, to comply with  
16 subpoenas or warrants relating to paternity or child support proceedings as provided  
17 by 42 U.S.C. sec. 666(a)(16). The Office of the Attorney General may furnish this  
18 list to the newspaper of general circulation in that county for publication.

19 (2) The Department of Child Support Services~~[for Income Support, Child Support~~  
20 ~~Enforcement,]~~ in the Department of Law~~[Office of the Attorney General]~~ shall  
21 determine uniform standards for publication. The Office of the Attorney General is  
22 authorized to promulgate the necessary administrative regulations under KRS  
23 Chapter 13A to implement the provisions of this section.

24 (3) For purposes of this section, "newspaper of general circulation" means a publication  
25 bearing a title or name, regularly issued at least as frequently as once a week for a  
26 definite price, having a second-class mailing privilege, being not less than four (4)  
27 pages, published continuously during the immediately preceding one (1) year

1 period, which is published for the dissemination of news of general interest, and is  
2 circulated generally in the political subdivision in which it is published and in  
3 which notice is to be given. In any county where a publication fully complying with  
4 this definition does not exist, the Office of the Attorney General may publish this  
5 list in the publication utilized by the Circuit Court Clerk of the county for  
6 publication of other legal notices in the county. A newspaper that is not engaged in  
7 the distribution of news of general interest to the public, but that is primarily  
8 engaged in the distribution of news of interest to a particular group of citizens, is  
9 not a newspaper of general circulation.

10 ➔Section 12. KRS 405.430 (Effective July 1, 2025) is amended to read as  
11 follows:

- 12 (1) When a parent presents himself to the Office of the Attorney General for the  
13 voluntary establishment of paternity and clear evidence of parentage is not present,  
14 the office shall pay when administratively ordered the cost of genetic testing to  
15 establish paternity, subject to recoupment from the alleged father when paternity is  
16 established.
- 17 (2) The Office of the Attorney General shall obtain additional testing in any case if an  
18 original test is contested, upon request and advance payment by the contestant.
- 19 (3) In a contested paternity case, the child, the mother, and the putative father shall  
20 submit to genetic testing upon a request of any of the parties, unless the person or  
21 guardian of the person who is requested to submit to genetic testing shows good  
22 cause, taking into account the best interests of the child, why the genetic tests  
23 cannot be performed. The request shall be supported by a sworn statement of the  
24 party, requesting that the test be performed, which shall include the information  
25 required by 42 U.S.C. sec. 666(a)(5)(B)(i) or (ii).
- 26 (4) When a parent who fails to support a child is not obligated to provide child support  
27 by court order, the Office of the Attorney General may administratively establish a

1 child support obligation based upon a voluntary acknowledgment of paternity as set  
2 forth in KRS Chapter 406, the parent's minimum monthly child support obligation  
3 and proportionate share of child care costs incurred due to employment or job  
4 search of either parent, or incurred while receiving elementary or secondary  
5 education, or higher education or vocational training which will lead to  
6 employment. The monthly child support obligation shall be determined pursuant to  
7 the Kentucky child support guidelines set forth in KRS 403.212 or 403.2122. The  
8 actual cost of child care shall be reasonable and shall be allocated between the  
9 parents in the same proportion as each parent's gross income, as determined under  
10 the guidelines, bears to the total family gross income.

11 (5) The Office of the Attorney General shall recognize a voluntary acknowledgment of  
12 paternity as a basis for seeking a support order, irrespective of the alleged father's  
13 willingness to consent to a support order.

14 (6) When in the best interest of the child, the Office of the Attorney General may  
15 review and adjust a parent's child support obligation or child care obligation as  
16 established by the office, upon a request of the office when an assignment has been  
17 made, or upon either parent's petition if the amount of the child support awarded  
18 under the order differs from the amount that would be awarded in accordance with  
19 KRS 403.212 or 403.2122. The Office of the Attorney General shall notify parents  
20 at least once every three (3) years of the right to a review.

21 (7) In establishing or modifying a parent's monthly child support obligation, the Office  
22 of the Attorney General may use automated methods to identify orders eligible for  
23 review, conduct the review, identify orders eligible for adjustment, and apply the  
24 adjustment to eligible orders in accordance with KRS 403.212 or 403.2122. The  
25 office shall utilize information, including financial records, about the parent and  
26 child which it has good reason to believe is reliable and may require the parents to  
27 provide income verification.

- 1 (8) In cases in which past-due support is owed for a child receiving public assistance  
2 under Title IV-A of the Federal Social Security Act, the Office of the Attorney  
3 General shall issue an administrative order, or seek a judicial order, requiring the  
4 obligated parent to participate in work activities, or educational or vocational  
5 training activities for at least twenty (20) hours per week, unless the parent is  
6 incapacitated as defined by 42 U.S.C. sec. 607.
- 7 (9) The Office of the Attorney General may disclose financial records only for the  
8 purpose of establishing, modifying, or enforcing a child support obligation of an  
9 individual. A financial institution shall not be liable to any individual for disclosing  
10 any financial record of the individual to the office attempting to establish, modify,  
11 or enforce a child support obligation.
- 12 (10) The Office of the Attorney General may issue both intrastate and interstate  
13 administrative subpoenas to any individual or entity for financial or other  
14 information or documents which are needed to establish, modify, or enforce a child  
15 support obligation pursuant to Title IV-D of the Social Security Act, 42 U.S.C. sec.  
16 651 et seq. An administrative subpoena lawfully issued in another state to an  
17 individual or entity residing in this state shall be honored and enforced in the  
18 Circuit Court of the county in which the individual or entity resides.
- 19 (11) In any case where a person or entity fails to respond to a subpoena within the  
20 specified time frame, the Office of the Attorney General~~[cabinet]~~ shall impose a  
21 penalty.
- 22 (12) No person shall knowingly make, present, or cause to be made or presented to an  
23 employee or officer of the Office of the Attorney General~~[cabinet]~~ any false,  
24 fictitious, or fraudulent statement, representation, or entry in any application, report,  
25 document, or financial record used in determining child support or child care  
26 obligations.
- 27 (13) If a person knowingly or by reason of negligence discloses a financial record of an

1 individual, that individual may pursue civil action for damages in a federal District  
 2 Court or appropriate state court. No liability shall arise with respect to any  
 3 disclosure which results from a good faith, but erroneous, interpretation. In any  
 4 civil action brought for reason of negligence of disclosure of financial records, upon  
 5 finding of liability on the part of the defendant, the defendant shall be liable to the  
 6 plaintiff in an amount equal to:

- 7 (a) The sum of the greater of one thousand dollars (\$1,000) for each act of  
 8 unauthorized disclosure of financial records; or  
 9 (b) The sum of the actual damages sustained by the plaintiff resulting from the  
 10 unauthorized disclosure; plus  
 11 (c) If willful disclosure or disclosure was a result of gross negligence, punitive  
 12 damages, plus the costs, including attorney fees, of the action.

13 (14) The Office of the Attorney General shall issue an administrative order or seek a  
 14 judicial order requiring a parent with a delinquent child support obligation, as  
 15 defined by administrative regulation promulgated under KRS 15.055, to participate  
 16 in the program described in KRS 15.816 to help low-income, noncustodial parents  
 17 find and keep employment unless the parent is incapacitated as defined by 42  
 18 U.S.C. sec. 607.

19 ➔Section 13. KRS 405.440 is amended to read as follows:

20 The notice of a minimum monthly support obligation shall be served in person or by  
 21 certified mail, return receipt requested, and shall include at least the following:

- 22 (1) The name of the child for whom the support obligation is owed;  
 23 (2) The amount of the support debt accrued or accruing;  
 24 (3) A statement that the parent's earnings and property, both real and personal, are  
 25 subject to judicial and administrative enforcement;  
 26 (4) That the parent~~he~~ may dispute the obligation amount or any other matter  
 27 contained in the notice by requesting a dispute hearing within twenty (20) days;



- 1 (5) That, unless there is good cause as determined by the Office of the Attorney  
2 General~~[secretary]~~ for the parent's~~[his]~~ failure to request a hearing, if the  
3 parent~~[he]~~ does not request a hearing, his or her agreement will be presumed and  
4 the first payment will be due twenty (20) days after receipt of the notice; and
- 5 (6) That if the parent~~[he]~~ requests a hearing and fails to appear, the hearing officer  
6 shall affirm the determination of minimum monthly support obligation.

7 ➔Section 14. KRS 405.465 (Effective July 1, 2025) is amended to read as  
8 follows:

- 9 (1) This section shall apply only to those child support, medical support, maintenance,  
10 and medical support insurance orders that are established, modified, or enforced by  
11 the Office of the Attorney General or those court orders obtained in administering  
12 Part D, Title IV of the Federal Social Security Act.
- 13 (2) All child support orders and medical support insurance orders being established,  
14 modified, or enforced by the Office of the Attorney General, or those orders  
15 obtained pursuant to the administration of Part D, Title IV of the Federal Social  
16 Security Act, shall provide for income withholding which shall begin immediately.
- 17 (3) The court shall order either or both parents who are obligated to pay child support,  
18 medical support, or maintenance under this section to assign to the Office of the  
19 Attorney General that portion of salary or wages of the parent due and to be due in  
20 the future as will be sufficient to pay the child support amount ordered by the court.
- 21 (4) The order shall be binding upon the employer or any subsequent employer upon the  
22 service by certified mail of a copy of the order upon the employer and until further  
23 order of the court. The employer may deduct the sum of one dollar (\$1) for each  
24 payment made pursuant to the order.
- 25 (5) The employer shall notify the Office of the Attorney General when an employee,  
26 for whom a wage withholding is in effect, terminates employment and provide the  
27 terminated employee's last known address and the name and address of the

1 terminated employee's new employer, if known.

2 (6) (a) An employer with twenty (20) or more employees shall notify in writing the  
3 Office of the Attorney General, or its designee administering the support  
4 order, of any lump-sum payment of any kind of one hundred fifty dollars  
5 (\$150) or more to be made to an employee under a wage withholding order.  
6 An employer with twenty (20) or more employees shall notify in writing the  
7 Office of the Attorney General or its designee no later than forty-five (45)  
8 days before the lump-sum payment is to be made or, if the employee's right to  
9 the lump-sum payment is determined less than forty-five (45) days before it is  
10 to be made, the date on which that determination is made. After notification,  
11 the employer shall hold each lump-sum payment of one hundred fifty dollars  
12 (\$150) or more for thirty (30) days after the date on which it would otherwise  
13 be paid to the employee and, on order of the court, pay all or a specified  
14 amount of the lump-sum payment to the Department of Child Support  
15 Services~~[for Income Support, Child Support Enforcement]~~. The employer  
16 may deduct the sum of one dollar (\$1) for each payment.

17 (b) As used in this subsection, "lump-sum payment of any kind" means a lump-  
18 sum payment of earnings as defined in KRS 427.005.

19 (7) Any assignment made pursuant to court order shall have priority as against any  
20 attachment, execution, or other assignment, unless otherwise ordered by the court.

21 (8) No assignment under this section by an employee shall constitute grounds for  
22 dismissal of the obligor, refusal to employ, or taking disciplinary action against any  
23 obligor subject to withholding required by this section.

24 ➔Section 15. KRS 405.991 is amended to read as follows:

25 (1) Any person or corporation violating the provisions of KRS 405.465 or 405.467  
26 shall be fined not more than five hundred dollars (\$500) or be imprisoned in the  
27 county jail for not more than one (1) year, or both.

1 (2) A person who violates KRS 405.490(2) shall pay the Office of the Attorney  
2 General~~Cabinet~~ the value of the property ordered to be held or the delinquent  
3 child support, whichever is less~~lesser~~, plus interest~~thereon~~ at the legal rate for  
4 judgments, court costs, and reasonable attorney's fees.

5 (3) A person who violates KRS 405.430(12) shall be guilty of a Class A misdemeanor  
6 and, in addition to any other penalties provided by law, shall be responsible for  
7 payment of any difference between the amount of child support calculated using the  
8 correct information and the prior calculation using the false information.

9 ➔Section 16. KRS 406.021 is amended to read as follows:

10 (1) Paternity may be determined upon the complaint of the mother, putative father,  
11 child, person, or agency substantially contributing to the support of the child. The  
12 action shall be brought by the county attorney or by the Office of the Attorney  
13 General~~Cabinet for Health and Family Services~~ or its designee upon the request  
14 of complainant authorized by this section.

15 (2) Paternity may be determined by the District Court when the mother and father of  
16 the child, either:

17 (a) Submit affidavits in which the mother states the name and Social Security  
18 number of the child's father and the father admits paternity of the child; or

19 (b) Give testimony before the District Court in which the mother states the name  
20 and Social Security number of the child's father and the father admits  
21 paternity of the child.

22 (3) If paternity has been determined or has been acknowledged according to the laws of  
23 this state, the liabilities of the noncustodial parent may be enforced in the same or  
24 other proceedings by the mother, child, person, or agency substantially contributing  
25 to the cost of pregnancy, confinement, education, necessary support, or funeral  
26 expenses. Bills for testing, pregnancy, and childbirth without requiring third party  
27 foundation testimony shall be regarded as prima facie evidence of the amount

1 incurred. An action to enforce the liabilities of the noncustodial parent shall be  
2 brought by the county attorney upon the request of such complainant authorized by  
3 this section. An action to enforce the liabilities of the cost of pregnancy, birthing  
4 costs, child support, and medical support shall be brought by the county attorney or  
5 by the Office of the Attorney General~~[Cabinet for Health and Family Services]~~ or  
6 its designee.

- 7 (4) Voluntary acknowledgment of paternity pursuant to KRS 213.046 shall create a  
8 rebuttable presumption of paternity.
- 9 (5) Upon a showing of service of process on the defendant and if the defendant has  
10 made no pleading to the court or has not moved to enter evidence pursuant to KRS  
11 406.091, the court shall order paternity to be established by default.

12 ➔Section 17. KRS 406.035 is amended to read as follows:

- 13 (1) If paternity has been determined under the provisions of subsection (1) or (2) of  
14 KRS 406.021, the court shall make a written order of paternity.
- 15 (2) Information concerning this action received or transmitted shall not be published or  
16 be open for public inspection, including where the Office of the Attorney  
17 General~~[cabinet]~~ determines reasonable evidence of domestic violence or child  
18 abuse, if the disclosure of the information could be harmful to the custodial parent  
19 or the child of the parent.
- 20 (3) Such orders are to be kept separately and shall not be open for public inspection  
21 except that they may be inspected by employees of governmental agencies in the  
22 performance of their duties, all law enforcement agencies including county  
23 attorneys, Commonwealth's attorneys, District and Circuit Judges, and anyone else  
24 under order of the court expressly permitting inspection. Either party to an action  
25 under this chapter or attorneys of a party to an action under this chapter shall be  
26 permitted to inspect the order entered in the action to which he or she is a party.

27 ➔Section 18. KRS 406.091 is amended to read as follows:

- 1 (1) An unchallenged acknowledgment of paternity shall be ratified under KRS Chapter  
2 213 without the requirement for judicial or administrative proceedings. If a genetic  
3 test is required, the court shall direct that inherited characteristics be determined by  
4 appropriate testing procedures, and shall appoint an expert qualified as an examiner  
5 of genetic markers to analyze and interpret results and to report to the court.
- 6 (2) In a contested paternity case, the child and all other parties shall submit to genetic  
7 testing upon a request of any such party which shall be supported by a sworn  
8 statement of the party, except for good cause.
- 9 (3) Genetic test results are admissible and shall be weighed along with other evidence  
10 of the alleged father's paternity.
- 11 (4) Any objection to genetic testing results shall be made in writing to the court within  
12 twenty (20) days of receipt of genetic test results. If the results of genetic tests or  
13 the expert's analysis of inherited characteristics is disputed, the court, upon  
14 reasonable request of a party, shall order that an additional test be made by the same  
15 laboratory or independent laboratory at the expense of the party requesting  
16 additional testing. If no objection is made, the test results are admissible as  
17 evidence of paternity without the need for foundation testimony or other proof of  
18 authenticity or accuracy.
- 19 (5) Verified documentation of the chain of custody in transmitting the blood specimens  
20 is competent evidence to establish the chain of custody.
- 21 (6) A verified expert's report shall be admitted at trial unless the expert is called by a  
22 party or the court as a witness to testify to his *or her* findings.
- 23 (7) Except where the Office of the Attorney General~~Cabinet for Health and Family~~  
24 ~~Services~~ administratively orders genetic testing, all costs associated with genetic  
25 testing shall be paid by the party who requested that the action be brought pursuant  
26 to KRS 406.021.
- 27 (8) When administratively ordered, the Office of the Attorney General~~Cabinet~~ shall

1 pay the cost of genetic testing to establish paternity, subject to recoupment from the  
2 alleged father when paternity is established. The Office of the Attorney  
3 General~~[cabinet]~~ shall obtain additional testing in any case if an original test is  
4 contested, upon request and advance payment by the contestant.

5 ➔Section 19. KRS 407.440 is amended to read as follows:

6 If the Office of the Attorney General~~[secretary for health and family services]~~ or its~~[his]~~  
7 authorized representative is of the opinion that a support order is erroneous and presents a  
8 question of law warranting an appeal in the public interest, the Office of the Attorney  
9 General~~[he]~~ may perfect an appeal to the proper appellate court if the support order was  
10 issued by a court of this state, or if the support order was issued in another state, cause the  
11 appeal to be taken in the other state. In either case, expenses of appeal may be paid on  
12 the~~[his]~~ order of the Attorney General from funds appropriated for his or her office.

13 ➔Section 20. KRS 205.231 is amended to read as follows:

14 (1) The Office of Administrative Hearings within the Department of Law~~[secretary]~~  
15 shall appoint one (1) or more impartial hearing officers to hear and decide upon  
16 appealed decisions.

17 (2) Any applicant or recipient who is dissatisfied with the decision or delay in action on  
18 his or her application for public assistance or the amount granted to him or her and  
19 any applicant or recipient who was deemed ineligible or disqualified from public  
20 assistance benefits under KRS 205.193 or 205.200 may appeal to the cabinet~~[a~~  
21 ~~hearing officer]~~, except that an appeal and a hearing need not be granted if the sole  
22 issue is a federal or state law requiring an automatic change adversely affecting  
23 some or all recipients of the Kentucky medical assistance program so long as  
24 advance notice of the change, with an explanation of appeal rights, is provided to all  
25 affected recipients. However, a recipient may appeal whether the cabinet is  
26 accurately interpreting a change in federal or state law which may adversely affect  
27 the recipient. On receipt of an appeal, an administrative hearing shall be conducted

1 in accordance with KRS Chapter 13B.

2 (3) The secretary may appoint an Appeal Board for Public Assistance composed of the  
3 secretary and two (2) other members. The secretary shall be chairman, and he or she  
4 and one (1) other member constitute a quorum.

5 (4) Any applicant or recipient who is dissatisfied with the decision of a hearing officer  
6 may appeal to the appeal board in the manner and form prescribed by  
7 administrative regulation. The board may on its own motion affirm, modify, or set  
8 aside any decision of a hearing officer on the basis of the evidence previously  
9 submitted in the case, or direct the taking of additional evidence, or may permit any  
10 of the parties to the decision to initiate further appeals before it. The board may  
11 remove itself or transfer to another hearing officer the proceedings on any appeal  
12 pending before a hearing officer. The board shall promptly notify the parties to any  
13 proceedings of its findings and decisions.

14 (5) The manner in which appeals are presented and hearings and appeals conducted  
15 under subsection (4) of this section shall be in accordance with administrative  
16 regulations promulgated by the secretary.

17 (6) After a decision by the appeal board, any party aggrieved by the decision may seek  
18 judicial review of the decision by filing a petition in the Circuit Court of the county  
19 in which the petitioner resides, in accordance with KRS 13B.140, 13B.150, and  
20 13B.160.

21 ➔Section 21. KRS 205.646 is amended to read as follows:

22 (1) As used in this section:

23 (a) "Administrative appeals hearing" means a formal adjudicatory proceeding  
24 conducted by the *Office of Administrative Hearings within the Department*  
25 *of Law*~~administrative hearing tribunal of the Cabinet for Health and Family~~  
26 ~~Services~~ in accordance with KRS Chapter 13B;

27 (b) "Department" means the Department for Medicaid Services;

- 1 (c) "External independent third-party review" means a review performed by an  
2 independent third party outside of the Medicaid managed care organization's  
3 internal appeal process pursuant to administrative regulations promulgated by  
4 the department;
- 5 (d) "Medicaid managed care organization" means an entity for which the  
6 Department for Medicaid Services has contracted to serve as a managed care  
7 organization as defined in 42 C.F.R. sec. 438.2; and
- 8 (e) "Provider" means any person or entity licensed in Kentucky as defined in  
9 KRS 304.17A-700(9) that provides covered services to enrollees.
- 10 (2) Notwithstanding any law to the contrary, a provider who has exhausted the written  
11 internal appeals process of a Medicaid managed care organization shall be entitled  
12 to an external independent third-party review of the Medicaid managed care  
13 organization's final decision that denies, in whole or in part, a health care service to  
14 an enrollee or a claim for reimbursement to a provider for a health care service  
15 rendered by the provider to an enrollee of the Medicaid managed care organization.  
16 A provider may submit multiple claims to be appealed in a single external  
17 independent third-party review if the provider alleges that a Medicaid managed care  
18 organization has implemented a policy or practice that results in the denial, in  
19 whole or in part, of those claims.
- 20 (3) A Medicaid managed care organization's letter to a provider reflecting the final  
21 decision of the provider's internal appeal shall include:
- 22 (a) A statement that the provider's internal appeal rights within the Medicaid  
23 managed care organization have been exhausted;
- 24 (b) A statement that the provider is entitled to an external independent third-party  
25 review; and
- 26 (c) The time period and address to request an external independent third-party  
27 review.



1 (4) A Medicaid managed care organization or provider shall be entitled to appeal a  
2 final decision of the external independent third-party review to the Office of  
3 Administrative Hearings within the Department of Law~~[administrative hearing~~  
4 ~~tribunal within the Cabinet for Health and Family Services]~~ for an administrative  
5 hearing to be held in accordance with KRS Chapter 13B. An appeal shall be filed  
6 within thirty (30) days from the appealing party's receipt of the final decision of the  
7 external independent third-party review. A decision of the Office of Administrative  
8 Hearings within the Department of Law~~[administrative hearing tribunal]~~ shall be  
9 final for purposes of judicial appeal. Any appeal of a final decision of an external  
10 independent third-party review involving the submission of multiple claims as  
11 allowed under subsection (2) of this section shall be conducted as a single  
12 administrative hearing under this subsection.

13 (5) ~~[Within one hundred twenty (120) days after April 8, 2016, ]~~The department shall  
14 promulgate administrative regulations to implement the external independent third-  
15 party review as required by this section.

16 (6) The department shall promulgate administrative regulations to establish reasonable  
17 fees, not to exceed one thousand dollars (\$1,000), to defray expenses associated  
18 with an administrative hearing that shall be paid by the party who does not prevail  
19 in the administrative hearing. If the administrative hearing is an appeal of a final  
20 decision of an external independent third-party review involving the submission of  
21 multiple claims as allowed under subsection (2) of this section, only one (1) fee  
22 shall be assessed under this subsection against the party who does not prevail.

23 (7) This section shall apply to all contracts or master agreements between Medicaid  
24 managed care organizations and the Commonwealth of Kentucky entered into or  
25 renewed on or after July 1, 2016.

26 ➔Section 22. KRS 210.440 is amended to read as follows:

27 (1) At the beginning of each fiscal year, the secretary of the Cabinet for Health and

1 Family Services shall allocate available funds to the boards for mental health or  
2 individuals with an intellectual disability or nonprofit organizations for  
3 disbursement during the fiscal year in accordance with approved plans and budgets.  
4 The secretary shall, from time to time during the fiscal year, review the operations,  
5 budgets, and expenditures of the various programs; and if funds are not needed for a  
6 program to which they were allocated or if the board has failed to pay employer  
7 contributions for which it is liable by its participation in the Kentucky Employees  
8 Retirement System, he *or she* may, after reasonable notice and opportunity for  
9 hearing, withdraw any funds that are unencumbered and reallocate them to other  
10 programs. He may withdraw funds from any program, or component part thereof:

11 (a) Which is not being operated and administered in accordance with its approved  
12 plan and budget, and the policies and administrative regulations of the cabinet  
13 promulgated pursuant to KRS 210.370 to 210.480; or

14 (b) If the board has failed to pay employer contributions for which it is liable by  
15 its participation in the Kentucky Employees Retirement System.

16 (2) If the secretary finds at any time that a board for mental health or individuals with  
17 an intellectual disability or nonprofit organization to which funds have been  
18 allocated for the operation of a regional community program for mental health or  
19 individuals with an intellectual disability is not operating and administering its  
20 program in compliance and accordance with the approved plan and budget and the  
21 policies and administrative regulations of the cabinet, or if the board has failed to  
22 pay employer contributions for which it is liable by its participation in the Kentucky  
23 Employees Retirement System or if the board has filed for bankruptcy, he *or she*  
24 may withdraw his *or her* recognition of that board or organization as the local  
25 authority for the receipt of funds and the operation and administration of regional  
26 community programs for mental health or individuals with an intellectual disability.

27 (3) If the secretary finds at any time that an emergency situation exists with regard to

1 the financial stability of any regional board for mental health or individuals with an  
2 intellectual disability or nonprofit organization, including a regional board's  
3 inability to pay employer contributions to the Kentucky Employees Retirement  
4 System or a regional board's actions to file for bankruptcy, which jeopardizes the  
5 continuation of programs and provision of services in the area served by that board  
6 or nonprofit organization, he or she may, other statutes to the contrary  
7 notwithstanding:

8 (a) Appoint a caretaker administrator who shall be authorized to direct the  
9 operation and administration of the board or nonprofit organization's  
10 community programs for mental health or individuals with an intellectual  
11 disability including, but not limited to, their financial record keeping, their  
12 personnel management operations, and their financial and program reporting;  
13 and

14 (b) Make personnel changes deemed necessary to insure the continued operation  
15 of the board or nonprofit organization in compliance with its plan and budget  
16 and the policies and regulations of the cabinet.

17 (4) Any community board for mental health or individuals with an intellectual  
18 disability to be affected by the provisions of subsections (2) and (3) of this section  
19 shall be notified by the secretary of the Cabinet for Health and Family Services  
20 thirty (30) days prior to the anticipated action by the secretary. The notification  
21 shall be by means of a letter from the secretary to the chairman of the board for  
22 mental health or individuals with an intellectual disability in question and shall state  
23 the reasons for the anticipated action. Following the notification, the board for  
24 mental health or individuals with an intellectual disability may:

25 (a) Comply with the secretary's action without contesting it; or

26 (b) Request an administrative hearing before a hearing officer appointed by the

27 Office of Administrative Hearings within the Department of Law[secretary]

1 to show cause why the action should not stand. The application shall be made  
2 within seven (7) days of the receipt of the letter from the secretary, and the  
3 hearing shall be conducted in accordance with KRS Chapter 13B.

4 ➔Section 23. KRS 210.270 is amended to read as follows:

- 5 (1) The secretary of the Cabinet for Health and Family Services is authorized to  
6 designate those private homes, private nursing homes, and private institutions that  
7 he or she deems, after a thorough investigation of the personal and financial  
8 qualifications of the owners and tenants, the facilities and management, and the  
9 desirability of the location of the homes, suitable for the placement of patients,  
10 including individuals with mental illness or an intellectual disability of all ages,  
11 outside of the state mental hospitals. The secretary of the Cabinet for Health and  
12 Family Services may promulgate, by administrative regulation, standards for the  
13 selection and operation of private homes, private nursing homes, and private  
14 institutions designated for the placement of patients. No home of an officer or  
15 employee of the Cabinet for Health and Family Services or of a member of his or  
16 her immediate family shall be designated for the placement of patients.
- 17 (2) Whenever the staff of a state mental hospital has determined that a patient who is  
18 not being held on an order arising out of a criminal offense has sufficiently  
19 improved and is not dangerous to himself, herself, or other persons, and that it  
20 would be in the patient's best interest to be placed outside of the hospital in a  
21 private home or private nursing home, the hospital shall so certify and authorize the  
22 patient to be transferred to a designated private home or private nursing home for  
23 care and custody for a length of time that the hospital deems advisable.
- 24 (3) No patient with an intellectual disability lodged in a state institution may have his  
25 or her level of care reclassified nor may the patient~~he~~ be transferred to a private  
26 nursing home or other private institution without first providing ten (10) days'  
27 notice by certified mail, return receipt requested, to the patient's parents or guardian

1 that a reclassification of the patient's level of care or a transfer in the place of  
2 residence is being considered.

3 (4) Any parent or guardian of any patient with an intellectual disability lodged in a state  
4 institution may participate in any evaluation procedure which may result in a  
5 reclassification of the patient's level of care or in a transfer in the place of residence  
6 of the patient. Participation may include the submission by the parents or guardian  
7 of medical evidence or any other evidence deemed relevant by the parents or  
8 guardian to the possible reclassification or transfer of the patient.

9 (5) If the decision to reclassify or transfer any patient with an intellectual disability is  
10 adverse to the best interests of the patient as expressed by the parents or guardian,  
11 they shall be given notice by certified mail, return receipt requested, that they are  
12 entitled to a thirty (30) day period from the receipt of such notice to file with the  
13 secretary of the Cabinet for Health and Family Services a notice of appeal and  
14 application for a hearing. Upon receipt of an application for a hearing, a hearing  
15 shall be conducted in accordance with KRS Chapter 13B.

16 (6) The appeal shall be heard by a three (3) member panel composed of a designated  
17 representative of the Cabinet for Health and Family Services, a designated  
18 representative of the state institution where the patient with an intellectual disability  
19 is presently lodged, and a designated neutral representative appointed by the county  
20 judge/executive of the county in which~~wherein~~ the institution in question is  
21 located. The Office of Administrative Hearings within the Department of  
22 Law~~secretary~~ may appoint a hearing officer to preside over the conduct of the  
23 hearing.

24 (7) Decisions made by the panel may be appealed to the Circuit Court of the county in  
25 which the state institution in question is located, to the Circuit Court of the county  
26 in which either of the parents or guardians or committee of the patient in question is  
27 domiciled at the time of the decision, or to Franklin Circuit Court in accordance

1 with KRS Chapter 13B.

2 (8) All parents or guardians or committee of a patient with an intellectual disability  
3 lodged in a state institution shall be fully apprised by the Cabinet for Health and  
4 Family Services of their rights and duties under the provisions of subsections (3),  
5 (4), (5), (6), and (7) of this section.

6 (9) The provisions of KRS 210.700 to 210.760 shall apply to patients transferred to  
7 designated private homes and private nursing homes as though the patients were  
8 residing in a state mental hospital.

9 ➔Section 24. KRS 205.915 is amended to read as follows:

10 (1) Within thirty (30) days of any recommendation of any decision by the cabinet, an  
11 aggrieved party may appeal. The Office of Administrative Hearings within the  
12 Department of Law~~[secretary]~~ shall appoint one (1) or more trained hearing  
13 officers to hear and decide the appeal.

14 (2) Any party who is dissatisfied with the decision of the hearing officer may appeal to  
15 the appeal board. The board may on its own motion affirm, modify or set aside any  
16 decision of a hearing officer on the basis of evidence previously submitted or may  
17 direct the taking of additional evidence or may permit any party to initiate further  
18 appeals before it. The board shall notify promptly the parties of its findings and  
19 decisions.

20 (3) The manner in which appeals are presented and hearings and appeals conducted  
21 shall be in accordance with regulations prescribed by the secretary for determining  
22 the rights of parties, such hearings to be conducted in a summary manner. A  
23 complete record shall be kept of all proceedings in connection with any appeal. All  
24 testimony at any hearing upon an appeal shall be recorded either stenographically,  
25 electronically, or mechanically. No hearing officer or member of the board shall  
26 participate in any hearing in which he or she is an interested party.

27 ➔Section 25. KRS 211.090 is amended to read as follows:

1 The secretary shall:

2 (1) Appoint county and district boards of health pursuant to KRS 212.020 and 212.850;

3 (2) ~~[Hear and decide appeals from rulings, decisions and actions of the cabinet, where~~  
4 ~~the aggrieved party makes written request therefor to the secretary within thirty (30)~~  
5 ~~days after the ruling, decision or action complained of;~~

6 (3) ~~]~~Establish~~[Adopt]~~ rules and promulgate administrative regulations in accordance  
7 with KRS Chapter 13A necessary to regulate and control all matters set forth in  
8 KRS 211.180 to the extent the regulation and control of same have not been  
9 delegated to some other agency of the Commonwealth and establish and adopt such  
10 other rules and regulations as may be necessary to effectuate the purposes of this  
11 chapter and any other law relating to public health, except as otherwise provided by  
12 law;

13 (4) Issue or deny hospital licenses;

14 (5) Approve or disapprove the establishment of proposed hospital service corporations  
15 and contracts for hospital service corporations and contracts for hospital services  
16 pursuant to KRS 304.32-030;

17 (6) Approve or disapprove of the establishment of proposed medical service plan  
18 corporations and contract for medical services pursuant to KRS 304.32-050,  
19 304.32-140, and 304.32-160;

20 (7) Enforce the provisions of KRS 311.250, 311.260, 311.375, 311.376.

21 ➔Section 26. KRS 216.567 is amended to read as follows:

22 (1) The manner in which appeals are presented from any decision on ratings, citations,  
23 or penalties pursuant to KRS 216.537 to 216.590 shall be in accordance with KRS  
24 Chapter 13B.

25 (2) The Office of Administrative Hearings within the Department of Law~~[secretary]~~  
26 shall appoint one (1) or more impartial hearing officers to hear and decide upon  
27 appealed decisions and notices of transfer or discharge. The decision of the

1 hearing officer shall be the final order of the cabinet.

2 (3) Any party aggrieved by a final order may seek judicial review by filing a petition in  
3 the Franklin Circuit Court in accordance with KRS 13B.140 and 13B.150.

4 ➔Section 27. KRS 216B.105 is amended to read as follows:

5 (1) Unless otherwise provided in this chapter, no person shall operate any health  
6 facility in this Commonwealth without first obtaining a license issued by the  
7 cabinet, which license shall specify the kind or kinds of health services the facility  
8 is authorized to provide. A license shall not be transferable and shall be issued for a  
9 specific location and, if specified, a designated geographical area.

10 (2) The cabinet may deny, revoke, modify, or suspend a license in any case in which it  
11 finds that there has been a substantial failure to comply with the provisions of this  
12 chapter or the administrative regulations promulgated hereunder. The denial,  
13 revocation, modification, or suspension shall be effected by mailing to the applicant  
14 or licensee, by certified mail or other method of delivery which may include  
15 electronic service, a notice setting forth the particular reasons for the action. The  
16 denial, revocation, modification, or suspension shall become final and conclusive  
17 thirty (30) days after notice is given, unless the applicant or licensee, within the  
18 thirty (30) day period, shall file a request in writing for a hearing with the cabinet.

19 (3) The hearing shall be before a person designated to serve as hearing officer by the  
20 Office of Administrative Hearings within the Department of Law~~[secretary]~~.

21 (4) Within thirty (30) days from the conclusion of the hearing, the findings and  
22 recommendations of the hearing officer shall be transmitted to the cabinet, with a  
23 synopsis of the evidence contained in the record and a statement of the basis of the  
24 hearing officer's findings. The applicant or licensee shall be entitled to be  
25 represented at the hearing in person or by counsel, or both, and shall be entitled to  
26 introduce testimony by witnesses or, if the hearing officer~~[cabinet]~~ so permits, by  
27 depositions. A full and complete record shall be kept of all hearings, and all



1 testimony shall be reported but need not be transcribed unless the decision is  
2 appealed pursuant to this chapter. The cabinet may adopt the hearing officer's  
3 findings and recommendations or prepare written findings of fact and state the basis  
4 for its decision which shall become part of the record of the proceedings.

5 (5) All decisions revoking, suspending, modifying or denying licenses shall be made by  
6 the cabinet in writing. The cabinet shall notify the applicant or licensee of the  
7 decision.

8 (6) The decision of the cabinet shall be final for purposes of judicial appeal upon notice  
9 of the cabinet's decision.

10 ➔Section 28. KRS 216B.085 is amended to read as follows:

11 (1) ~~Any time~~ No later than fifteen (15) days after the date the review commences, any  
12 affected person may request a public hearing. Hearings shall be before a person  
13 designated by the *Office of Administrative Hearings within the Department of*  
14 *Law*~~[secretary]~~ to serve as hearing officer. The hearing officer shall be authorized  
15 to administer oaths, issue subpoenas, subpoenas duces tecum, and all necessary  
16 process in the proceedings.

17 (2) If a hearing is requested, the *Office of Administrative Hearings within the*  
18 *Department of Law*~~[secretary]~~ shall set a date, time, and place for a public hearing.  
19 Reasonable notice of the hearing shall be given to all affected persons in  
20 accordance with administrative regulations promulgated by the cabinet.

21 (3) At the hearing, any party to the proceedings shall have the right to be represented  
22 by counsel, and to present oral or written arguments and evidence relevant to the  
23 matter which is the subject of the hearing, and may conduct reasonable cross-  
24 examination under oath of persons who make factual allegations relevant to such  
25 matters. A full and complete record shall be maintained of the hearing.

26 (4) Any decision of the cabinet to issue or deny a certificate of need shall be based  
27 solely on the record established with regard to the matter. All decisions granting,

1 denying, or modifying a certificate of need shall be made by the cabinet in writing.  
2 The cabinet shall notify the parties to the proceedings of the decision and the  
3 decision shall be final for purposes of judicial appeal unless a request for  
4 reconsideration is filed. An approved certificate of need shall be issued forty (40)  
5 days after notice of the cabinet's decision unless a request for reconsideration is  
6 filed or a judicial appeal is taken and issuance is enjoined by the court.

7 ➔Section 29. KRS 216B.086 is amended to read as follows:

- 8 (1) The cabinet may revoke a certificate of need, or portion thereof, for failure of the  
9 holder of the certificate to implement the project in accordance with timetables and  
10 standards for implementation established by administrative regulation of the  
11 cabinet; however, for projects involving long-term care beds, the cabinet may  
12 revoke any certificate granted which is not implemented within twenty-four (24)  
13 months or within any six (6) month reporting interval during which there is not  
14 satisfactory progress in meeting the project timetable and shall revoke any  
15 certificate granted which is not implemented within thirty-six (36) months except  
16 for those projects specified as an exception pursuant to Executive Order 96-129 in  
17 which case those projects shall be implemented according to the intervals and  
18 timetable set forth in this section, as of the effective date of Medicaid funding in the  
19 biennial budget for those projects. The administrative regulation for projects  
20 involving long-term care beds shall be based on project completion in twenty-four  
21 (24) months and shall specify criteria for measuring implementation of project  
22 objectives at six (6) month reporting intervals. If, at any six (6) month reporting  
23 period, the certificate holder is able to show good cause as to why a project failed to  
24 meet its timetables, an extension of six (6) months may be granted to meet that  
25 particular timetable. The burden of proof shall be on the certificate holder. An  
26 extension may be granted beyond a total of thirty-six (36) months, only if the  
27 applicant requests that the cabinet grant an additional six (6) month extension

1 beyond the initial thirty-six (36) month completion period and shows good cause.  
2 For purposes of this section, there shall be deemed to be "good cause" if the project  
3 can be completed within the additional six (6) month period. In no case shall an  
4 extension be granted beyond a total of forty-two (42) months. The holder of the  
5 certificate of need shall file with the cabinet the name and business address of all  
6 owners, investors, and stockholders in the project whose ownership interest is  
7 greater than ten percent (10%). All reports submitted by the certificate holder under  
8 this subsection shall be considered a public record in accordance with the Kentucky  
9 Open Records Law, KRS 61.870 to 61.884.

10 (2) The cabinet shall give notice to the holder of the certificate of its initial decision to  
11 revoke the certificate of need or portion thereof. The cabinet's initial decision to  
12 revoke a certificate of need or portion thereof shall become final after thirty (30)  
13 days unless a hearing is requested. The secretary shall give notice to the holder of  
14 the certificate of a decision which has become final under the provisions of this  
15 subsection.

16 (3) The holder of the certificate of need to be revoked may request in writing a public  
17 hearing in respect to an initial decision by the cabinet to revoke a certificate of need  
18 within thirty (30) days of the date of notice of the initial decision. Failure to request  
19 a hearing shall constitute a waiver of any right to reconsideration or judicial appeal  
20 of a final cabinet decision to revoke a certificate of need.

21 (4) The hearing shall be before a person designated by the Office of Administrative  
22 Hearings within the Department of Law<sup>[secretary]</sup> to be the hearing officer. The  
23 hearing shall be no later than thirty (30) days after the request for the hearing is  
24 filed.

25 (5) If a hearing is requested, the Office of Administrative Hearings within the  
26 Department of Law<sup>[secretary]</sup> shall set a date, time, and place for a public hearing.  
27 Reasonable notice of the hearing shall be given to all affected persons in

- 1 accordance with administrative regulations promulgated by the cabinet.
- 2 (6) At the hearing, any party to the proceedings shall have the right to be represented  
3 by counsel and to present oral or written arguments and evidence relevant to the  
4 revocation of the certificate of need and may conduct reasonable cross-examination  
5 under oath of persons who testify. A full and complete record shall be maintained  
6 of the hearing, and all testimony shall be recorded but not be transcribed unless the  
7 cabinet's final decision is appealed pursuant to this chapter.
- 8 (7) After the issuance of an initial decision to revoke a certificate of need and before a  
9 final decision is made, no person shall have ex parte contacts with employees of the  
10 cabinet regarding the revocation. If an ex parte contact occurs, it shall be promptly  
11 made a part of the record.
- 12 (8) If a hearing is requested after notice of the cabinet's initial decision to revoke a  
13 certificate of need, the **Office of Administrative Hearings within the Department**  
14 **of Law**~~[cabinet]~~ shall make a final decision within thirty (30) days after the hearing.  
15 Any final decision revoking a certificate of need shall be made by the **hearing**  
16 **officer**~~[cabinet]~~ in writing. The cabinet shall notify the parties to the proceedings of  
17 the final decision.
- 18 (9) Any final decision~~[of the cabinet]~~ to revoke a certificate of need shall be based  
19 solely on the record established with regard to the revocation.
- 20 (10) Except as provided in subsection (3) of this section, reconsideration pursuant to  
21 KRS 216B.090 or judicial appeal pursuant to KRS 216B.115 shall be available with  
22 regard to a final decision of the cabinet to revoke a certificate of need.
- 23 ➔Section 30. KRS 216B.106 is amended to read as follows:
- 24 (1) The cabinet shall investigate~~[and hold hearings on]~~ complaints pertaining to  
25 ambulance services licensed under KRS 311A.030 that are transferred to the cabinet  
26 by the Kentucky Board of Emergency Medical Services as required by KRS  
27 311A.055 if the cabinet determines a hearing is needed.

- 1 (2) The hearing shall be before a person designated to serve as hearing officer by the  
2 Office of Administrative Hearings within the Department of Law~~secretary~~.
- 3 (3) Within thirty (30) days from the conclusion of the hearing, the findings and  
4 recommendations of the hearing officer shall be transmitted to the cabinet, with a  
5 synopsis of the evidence contained in the record and a statement of the basis of the  
6 hearing officer's findings. The applicant or licensee shall be entitled to be  
7 represented at the hearing in person or by counsel, or both, and shall be entitled to  
8 introduce testimony by witnesses or, if the cabinet so permits, by depositions. A full  
9 and complete record shall be kept of all hearings, and all testimony shall be  
10 reported but need not be transcribed unless the decision is appealed pursuant to this  
11 chapter. The cabinet shall immediately submit the hearing officer's findings and  
12 recommendations or the prepared written findings of fact and statement of the basis  
13 for its decision, which shall become part of the record of the proceedings, to the  
14 Kentucky Board of Emergency Medical Services.
- 15 (4) The Kentucky Board of Emergency Medical Services may deny, revoke, modify, or  
16 suspend a license in any case in which the cabinet finds that there has been a  
17 substantial failure to comply with the provisions of KRS 311A.030 or the  
18 administrative regulations promulgated hereunder. The denial, revocation,  
19 modification, or suspension shall be effected by mailing to the applicant or licensee,  
20 by certified mail or other method of delivery which may include electronic service,  
21 a notice setting forth the particular reasons for the action. The board shall notify the  
22 cabinet within five (5) days of its action in response to the cabinet's findings and  
23 recommendations in writing.
- 24 (5) The denial, revocation, modification, or suspension shall become final and  
25 conclusive thirty (30) days after notice is given, unless the applicant or licensee,  
26 within the thirty (30) day period, files a request in writing for a hearing with the  
27 cabinet. The cabinet shall notify the board of its actions within five (5) days of

1 receiving a hearing request. All decisions revoking, suspending, modifying, or  
2 denying licenses shall be made by the board in writing. The board shall notify the  
3 applicant or licensee of the decision.

4 (6) The decision of the board shall be final for purposes of judicial appeal upon notice  
5 of the board's decision.

6 ➔Section 31. KRS 199.670 is amended to read as follows:

7 (1) The cabinet may revoke or suspend a license issued under KRS 199.640 for any  
8 deficiency or condition which would have caused a denial of the license in the first  
9 instance. The cabinet may refuse to issue a license in any case where the applicant  
10 is not found to meet the standards established by the secretary in an administrative  
11 regulation promulgated in accordance with the provisions of KRS 199.640.

12 (2) If the cabinet proposes to revoke or suspend, or to refuse to issue a license, written  
13 notice shall be given to the licensee or applicant, stating the proposed action and  
14 grounds for the action~~[therefor]~~, and notifying the licensee or applicant that the  
15 license will be revoked, suspended, or refused unless the applicant or licensee  
16 makes a written request to engage in informal dispute resolution, in accordance  
17 with the provisions of subsection (4) of this section, or the applicant or licensee  
18 makes a written request~~[ for a hearing ]~~ to the cabinet~~[before the secretary]~~ within  
19 thirty (30) days of notice for a hearing before the Office of Administrative  
20 Hearings within the Department of Law. Notice shall be complete and effective  
21 upon mailing. If the cabinet proposes to deny the issuance or renewal of a license,  
22 notice of the proposed action shall be provided to the licensee or applicant no later  
23 than thirty (30) days after the application for licensure or renewal is received by the  
24 cabinet.

25 (3) If a request for a hearing is made, the hearing shall be conducted in accordance with  
26 KRS Chapter 13B. If the cabinet has probable cause to believe that an immediate  
27 threat to the public health, safety, or welfare exists, the cabinet may take emergency

1 action pursuant to KRS 13B.125.

- 2 (4) (a) Upon receipt of a statement of deficiency from the cabinet, the applicant or  
3 licensee may request one (1) informal opportunity per survey to dispute any  
4 deficiencies with which it disagrees. The applicant or licensee shall make a  
5 written request to the cabinet for informal dispute resolution, which must be  
6 received by the cabinet within ten (10) days of the receipt of the statement of  
7 deficiency by the applicant or licensee. The request shall:
- 8 1. Specify the deficiencies in dispute;
  - 9 2. Provide a detailed explanation of the basis for the dispute;
  - 10 3. Include any supporting documentation, including any information that  
11 was not available at the time of the survey; and
  - 12 4. If desired, request a face-to-face meeting with the regional program  
13 manager, or the manager's designee, and a surveyor who did not  
14 participate in the original survey or the decision to issue the disputed  
15 deficiency.
- 16 (b) Upon receipt of a request for informal dispute resolution, the regional  
17 program manager, or the manager's designee, and a child-caring surveyor who  
18 did not participate in the original survey or the decision to issue the disputed  
19 deficiency shall, within thirty (30) days of receipt of the request, review the  
20 specific deficiencies in dispute and notify the applicant or licensee in writing  
21 of the results of the review. If a face-to-face meeting was requested by the  
22 applicant or licensee, the meeting shall be held, and no decision shall be made  
23 regarding the disputed deficiencies until after the face-to-face meeting has  
24 occurred.
- 25 1. If materials submitted by the applicant or licensee by mail or at the face-  
26 to-face meeting demonstrate that specific deficiencies should not have  
27 been cited, those deficiencies will be removed from the statement of

1 deficiencies and any enforcement actions imposed solely as a result of  
2 those cited deficiencies will be rescinded.

- 3 2. If, after review of the disputed deficiencies, the regional office staff  
4 affirms the deficiencies, the licensee or applicant may accept the  
5 findings of the regional office staff and make any corrections required  
6 by the cabinet, or may, within thirty (30) days of receipt of the notice,  
7 request in writing a meeting with the secretary or the secretary's  
8 designee. The secretary may designate an individual who holds the  
9 position of director or above to serve as the designee.
- 10 3. The secretary or the secretary's designee shall meet in person with the  
11 licensee or applicant and review the documentation available within  
12 fifteen (15) days of receipt of the request.
- 13 4. If the information provided demonstrates that specific deficiencies  
14 should not have been cited, those deficiencies will be removed from the  
15 statement of deficiencies and any enforcement actions imposed solely as  
16 a result of those cited deficiencies will be rescinded.
- 17 5. If the secretary or the secretary's designee affirms the deficiencies, the  
18 secretary or the secretary's designee shall, within fifteen (15) days issue  
19 a final written order stating the cabinet's final position regarding the  
20 deficiencies in dispute. The decision of the secretary or the secretary's  
21 designee shall be a final order for purposes of subsection (5) of this  
22 section.

- 23 (c) A request for informal dispute resolution shall not delay the required  
24 submission of a plan of correction for any deficiency not in dispute. Any  
25 corrective plan of action or similar submission required by the cabinet relating  
26 to any deficiency in dispute shall be suspended until a decision is rendered  
27 and a corrective plan of action is agreed to within the informal dispute



1 resolution process or the secretary or the secretary's designee issues a final  
2 order.

3 (5) Any final order may be reviewed in the Circuit Court of the county in which the  
4 child-caring facility or child-placing agency is located in accordance with KRS  
5 Chapter 13B.

6 ➔Section 32. KRS 405.450 (Effective July 1, 2025) is amended to read as  
7 follows:

8 (1) A hearing officer appointed by the *Office of Administrative Hearings within the*  
9 *Department of Law*~~[secretary]~~ shall conduct dispute hearings in the county of the  
10 child or parent's residence or any other location acceptable to the parent, which  
11 shall be scheduled within sixty (60) days of the parent's request for a hearing. The  
12 dispute hearing proceedings shall be conducted in accordance with KRS Chapter  
13 13B.

14 (2) The parent's obligation to pay minimum monthly support shall be stayed until *the*  
15 *parent's*~~[his]~~ receipt of the final order.

16 (3) The parent or the Office of the Attorney General may file an appeal in the Circuit  
17 Court in the county of the parent's or the child's residence in accordance with KRS  
18 Chapter 13B.

19 (4) The parent shall, during the pendency of *the parent's*~~[his]~~ appeal from the final  
20 order, absent a showing of indigency or need exceeding the child's need, pay the  
21 minimum monthly support obligation to the office, which shall, if the parent's  
22 appeal is successful, return his *or her* money together with interest at the legal rate  
23 for judgments.

24 (5) If the Office of the Attorney General elects to conduct the modification review as  
25 specified in KRS 405.430 (6), either party may contest the adjustment to the  
26 obligation amount within thirty (30) days after the date of the notice of the  
27 adjustment by requesting a review under subsection (1) of this section and, if

- 1 appropriate, a request for adjustment of the order as permitted by this chapter.
- 2 ➔Section 33. This Act takes effect July 1, 2025.