

1 AN ACT relating to light pollution and declaring an emergency.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 176 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Agricultural land" has the same meaning as in KRS 132.010;*

7 *(b) "Fully shielded" means an outdoor light fixture that is shaded so that light*
8 *rays emitted by the fixture, either directly from the lamp or indirectly from*
9 *the fixture, are no longer encroaching on agricultural land; and*

10 *(c) "Outdoor light fixture" means any light fixture owned or maintained by the*
11 *cabinet.*

12 *(2) The cabinet shall not allow light emitted from an outdoor light fixture to*
13 *encroach on any agricultural land, whether public or private.*

14 *(3) Any new outdoor light fixture installed after the effective date of this Act which*
15 *emits light that encroaches on agricultural land shall be fully shielded at the time*
16 *of installation.*

17 *(4) If light emitted from an outdoor light fixture encroaches on agricultural land, the*
18 *owner of that land may submit a complaint in writing to the cabinet. If the*
19 *cabinet ensures that the outdoor light fixture is fully shielded within thirty (30)*
20 *days of the date of the submission of the written complaint, the cabinet shall be*
21 *immune from civil liability.*

22 *(5) This section shall not apply to outdoor light fixtures used by the cabinet or its*
23 *contractors incidental to a highway construction or maintenance project,*
24 *provided the encroachment lasts for no longer than one hundred eighty (180)*
25 *days and that the lights are turned off when not in active use for construction or*
26 *safety purposes.*

27 ➔Section 2. Whereas it is critical to protect agricultural land from damage caused

1 by light pollution and to protect farmers of the Commonwealth from any losses in crop
2 yields resulting from light pollution as soon as possible, an emergency is declared to
3 exist, and this Act takes effect upon its passage and approval by the Governor or upon its
4 otherwise becoming a law.