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KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION

Amend printed copy of **SB 8/SCS 1**

On page 3, beginning on line 3 and continuing through line 17, delete Section 2 in its entirety and insert in lieu thereof the following:

"➔SECTION 2. A NEW SECTION OF KRS CHAPTER 278 IS CREATED TO READ AS FOLLOWS:

(1) A person who wishes to become a party to a case before the commission may, by timely motion, request leave to intervene, subject to the following:

(a) The motion shall include the movant's full name, mailing address, and email address and shall state his or her interest in the case and how intervention is likely to present issues or develop facts that will assist the commission in fully considering the matter without unduly complicating, delaying, or disrupting the proceedings or causing any party or the commission to incur unwarranted costs;

(b) The motion shall include a certification signed by the movant or the movant's counsel stating that the movant is not seeking to intervene for the purpose of, without justification pursuant to applicable law, delaying or otherwise interfering with a project that is a subject of the proceedings;

(c) For movants who reside or are domiciled outside of the Commonwealth, the motion shall include an affidavit signed by the movant or certification signed by the movant's counsel stating whether the movant derives revenues from any foreign

Amendment No. SFA 1

Rep. Sen. Brandon Smith

Committee Amendment

Floor Amendment

Adopted: _____

Rejected: _____

Signed: _____

LRD Drafter: _____

Date: _____

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government; and

(d) The motion may include a request by movant for delivery of commission orders by United States mail and shall state how good cause exists for that means of delivery to movant.

(2) The commission shall grant a person leave to intervene if the commission finds that he or she has made a timely motion for intervention and has a special interest in the case that is not otherwise adequately represented or that his or her intervention is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating, delaying, or disrupting the proceedings or causing any party or the commission to incur unwarranted costs.

(3) If the commission determines that an intervening party is unduly complicating, delaying, or disrupting the proceedings, causing any party or the commission to incur unwarranted costs, or participating in the case for the purpose of, without justification pursuant to applicable law, delaying or otherwise interfering with a project that is a subject of the proceedings, the commission may:

(a) Deny or limit the intervening party's rights to participate in discovery;

(b) Dismiss the intervening party from the action; or

(c) Take any other action that the commission deems appropriate.

(4) Unless electronic filing procedures established in administrative regulation are used in the case, a party shall serve a person granted leave to intervene with all papers that the party submits in the case after the order granting intervention, but the party shall not be required to provide any papers submitted prior to the issuance of that order, unless the commission otherwise orders.

(5) Unless the commission finds good cause to order otherwise, a person granted leave to intervene in a case shall, as a condition of his or her intervention, be subject to the

procedural schedule in existence in that case when the order granting the person's intervention is issued.

(6) (a) A person who the commission has not granted leave to intervene in a case may file written comments regarding the subject matter of the case, which shall be filed in the case record.

(b) A person filing written comments under this subsection shall not be deemed a party to the proceeding and shall not be required to be named as a party to an appeal.";

and

On page 5, line 11, delete "two hundred (200)" and remove the brackets around and the strikethrough from "one hundred thirty-eight (138)".