

1           AN ACT relating to economic development.

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

3           ➔Section 1. KRS 154.12-210 is amended to read as follows:

4    (1) The cabinet shall assemble and keep in the offices of the cabinet information  
5        relating to natural resources, industrial sites, labor supply, water, fuel, power, wage  
6        rates, taxation and assessments, transportation and communication facilities,  
7        Kentucky Office of Agricultural Policy programs, including any programs  
8        established in KRS 246.605 and 247.944, and any other information that may be  
9        useful in executing the provisions of KRS 154.12-210 to 154.12-212. This  
10      information shall be made available to any enterprise which, in the discretion of the  
11      secretary, is legitimate and which contemplates location or operation within the  
12      Commonwealth. The information shall, in the discretion of the secretary, be made  
13      available to any governmental or private agency interested in securing the location  
14      or operation of any legitimate enterprise within the Commonwealth.

15    (2) The cabinet shall obtain from enterprises interested in locating and operating within  
16      the Commonwealth information relating to the nature of the enterprise, its financial  
17      responsibility, manpower requirements, probable consumption of raw materials,  
18      and any other information that may be useful in securing the location of such  
19      enterprise in the Commonwealth.

20    (3) The cabinet shall be the primary industrial and commercial development agency of  
21      the Commonwealth of Kentucky in matters relating to the private sector of the  
22      state's economy. The cabinet shall carry out programs relating to industrial and  
23      commercial development, research and planning, community and industrial  
24      services, marketing development, small and minority business enterprise,  
25      international trade and reverse investment, and other programs designated by the  
26      board.

27           ➔Section 2. KRS 154.12-213 is amended to read as follows:

- 1     (1) The cabinet, as it deems necessary and advisable, may:
  - 2         (a) Consult with agencies of the state, federal, and local government in order to
  - 3             coordinate development programs and plans and to articulate agriculture,
  - 4             industry, and commerce in the light of the needs of particular localities;
  - 5         (b) Make studies of land utilization so as to determine areas suitable for industrial
  - 6             and commercial development;
  - 7         (c) Make studies and projections and publish information relating to the
  - 8             economic development of the Commonwealth and make appropriate
  - 9             recommendations to the board and the General Assembly;
  - 10         (d) Establish and maintain development offices in out-of-state centers of
  - 11             industrial and commercial management; and
  - 12         (e) Place advertising in appropriate media promoting Kentucky's resources and
  - 13             locational advantages for industrial and commercial enterprises.
- 14     (2) The cabinet shall coordinate with and seek guidance from the Commissioner of
- 15         Agriculture in considering any projects for economic incentives related to
- 16         agricultural economic development, agribusiness, or production facilities for
- 17         alternative fuels including sustainable aviation fuels, including providing to the
- 18         Commissioner of Agriculture:
  - 19             (a) Names of applicants;
  - 20             (b) Details of proposed projects, including the proposed activity and the location
  - 21             of the proposed activity;
  - 22             (c) Estimates of capital investment and jobs to be created; and
  - 23             (d) Any other information requested by the Commissioner of Agriculture.
- 24     (3) *The cabinet shall promote the programs of the Kentucky Office of Agricultural*
- 25         *Policy, including any programs established in KRS 246.605 and 247.944, to any*
- 26         *applicants seeking to participate in any economic incentive programs established*
- 27         *in this chapter upon the:*

1                   (a) Time of the initial communication;

2                   (b) Submission of an application for economic incentives; and

3                   (c) Acceptance of any economic incentives awarded under this chapter.

4                   (4) Beginning on August 1, 2026, and the first day of each month thereafter the  
5                   cabinet shall submit a report to the Kentucky Office of Agricultural Policy and to  
6                   the Legislative Research Commission for referral to the Interim Joint Committee  
7                   on Appropriations and Revenue or to the House Standing Committee on  
8                   Appropriations and Revenue and the Senate Standing Committee on  
9                   Appropriations and Revenue when the General Assembly is in session. The  
10                   monthly report shall include:

11                   (a) The number of applications submitted for each program executed under the  
12                   provisions of this chapter;

13                   (b) The number of applicants that were provided information about Kentucky  
14                   Office of Agricultural Policy programs as established in KRS 246.605 and  
15                   247.944;

16                   (c) The project code or identifier used to track the project application  
17                   throughout the review process;

18                   (d) The name of any incentive or funding program for which the project  
19                   application is seeking consideration under the provisions of this chapter;

20                   (e) The total project amount and the total amount of incentives or program  
21                   funds requested by each project application;

22                   (f) The initial communication date, detailing how and when the project  
23                   applicant established initial contact with the cabinet;

24                   (g) The date of any formal project application submitted to the cabinet for  
25                   consideration of any program established in this chapter;

26                   (h) The approval status for each submitted project application, detailing  
27                   whether the project application was approved, denied, withdrawn, or

1                   remains pending, along with an explanation as to why that determination  
2                   was made;

3                   (i) The total amount of incentives or funding awarded to any project  
4                   application; and  
5                   (j) Any additional monthly reporting requirements as deemed appropriate by  
6                   the Kentucky Office of Agricultural Policy.

7                   ➔ Section 3. KRS 154.20-010 is amended to read as follows:

8 (1) There is created and established within the cabinet, subject to the authority of the  
9                   board, the Kentucky Economic Development Finance Authority as an agency,  
10                   instrumentality, and political subdivision of the Commonwealth and a public body  
11                   corporate and politic with all powers, duties, and responsibilities delegated to it by  
12                   the board or as otherwise provided by law, including all programs, powers, duties,  
13                   rights, and obligations of the Kentucky Development Finance Authority and the  
14                   Kentucky Rural Economic Development Authority.

15 (2) Any interest, right, or cause of action held in whole or in part by any person,  
16                   corporation, limited liability company, partnership, limited partnership, government  
17                   agency, or other entity under any agreement, contract, lease, mortgage, guarantee,  
18                   bond, note, refund bond, or other financial transaction or obligation, made, issued,  
19                   or otherwise entered into by any of the authorities, programs, or funds specified in  
20                   subsection (1) of this section or that may be delegated to the authority by the board,  
21                   shall not be impaired or otherwise diminished.

22 (3) Any interest, right, or cause of action held in whole or in part by any of the  
23                   authorities, programs, or funds specified in subsection (1) of this section shall not  
24                   be impaired or otherwise diminished, but shall be assumed by the authority, for and  
25                   on behalf of the cabinet.

26 (4) The authority shall consist of a committee of eight (8)~~(7)~~ persons, including  
27                   six (6) persons appointed by the board who shall be private citizens of the

1       Commonwealth, the executive director of the Kentucky Office of Agricultural  
2       Policy who shall serve ex officio, and the secretary of the Finance and  
3       Administration Cabinet who shall serve ex officio. Any person appointed to the  
4       committee shall have experience and expertise in business or finance, and at least  
5       one (1) appointee shall have experience and expertise in agriculture.

6       (5) Two (2) members initially appointed to the committee shall have a term of one (1)  
7       year each, two (2) members initially appointed to the committee shall have a term  
8       of two (2) years each, and two (2) members initially appointed to the committee  
9       shall have a term of three (3) years each, except that any person appointed to fill a  
10      vacancy shall serve only for the remainder of the unexpired term. All subsequent  
11      appointments shall be for a term of three (3) years.

12      (6) Any person appointed to the committee shall be eligible for reappointment,  
13      including any member of the committee appointed prior to July 15, 1994.

14      (7) The members of the committee shall elect biennially from the committee's private  
15      citizen membership the following officers: chairman, vice chairman, secretary-  
16      treasurer, and any assistant secretaries and assistant treasurers the committee deems  
17      necessary.

18      (8) A majority of the members of the committee, determined by excluding any existing  
19      vacancies from the total number of members, shall constitute a quorum. A majority  
20      vote of the members present at a duly called meeting of the committee shall be  
21      required for the purposes of conducting its business and exercising its powers and  
22      for all other purposes.

23      (9) The committee shall prepare bylaws and procedures applicable to the operations of  
24      the authority and submit them to the board to be promulgated as administrative  
25      regulations in accordance with KRS Chapter 13A.

26      (10) Members of the committee shall be entitled to compensation for their services in an  
27      amount of one hundred dollars (\$100) for each regular meeting of the committee

1       and shall be entitled to reimbursement for all necessary expenses in connection with  
2       the performance of their duties.