

1       AN ACT relating to the provision of the Supplemental Nutrition Assistance  
2 Program and declaring an emergency.

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

4       ➔Section 1. KRS 48.705 is amended to read as follows:

5       (1) A budget reserve trust fund account is hereby created in the general fund, pursuant  
6 to KRS 45.305. The budget reserve trust fund account shall be funded through  
7 direct appropriations, and surplus amounts as provided in subsection (2) of this  
8 section. Moneys in the account shall remain unallotted unless required by the  
9 provisions of this section.

10      (2) (a) Each fiscal year, except as provided in subsection (3) of this section, within  
11            thirty (30) days of the end of the fiscal year, the secretary of the Finance and  
12            Administration Cabinet shall cause to be deposited to the budget reserve trust  
13            fund account the lesser of the following amounts:

14           1. Fifty percent (50%) of the general fund surplus; or  
15           2. The amount necessary from the general fund surplus to make the  
16            balance of the budget reserve trust fund account equal to five percent  
17            (5%) of the actual general fund receipts collected during the fiscal year  
18            just ended, as determined by the Finance and Administration Cabinet.

19      (b) Any amounts to be deposited to the budget reserve trust fund account from the  
20            general fund surplus shall be determined after the surplus has been reduced by  
21            the amount necessary to implement the provisions of any surplus expenditure  
22            plan authorized by KRS 48.140 and enacted as a part of a branch budget bill.

23      (3) If, at the close of any fiscal year, the budget reserve trust fund account has a balance  
24            equal to or greater than five percent (5%) of the actual general fund receipts  
25            collected during the fiscal year just ended, as determined by the Finance and  
26            Administration Cabinet, the deposits required under subsection (2) of this section  
27            shall be suspended for that year.

1 (4) (a) Moneys in the budget reserve trust fund account may be appropriated by the  
2 General Assembly in a regular or special session.

3 (b) 1. If a lapse in federal appropriations occurs due to a shutdown of the  
4 federal government or a temporary suspension in federal funding, the  
5 Governor may authorize the limited use of the moneys in the budget  
6 reserve trust fund to provide for the continuity of the Supplemental  
7 Nutrition Assistance Program.

8 2. Any moneys used under this paragraph shall be considered a  
9 temporary loan and be repaid to the budget reserve trust fund from the  
10 affected federal funding source within ninety (90) days of the  
11 restoration of federal appropriations.

12 3. The Governor shall, within ten (10) days of authorizing the use of  
13 moneys under this paragraph, notify the Legislative Research  
14 Commission and the State Budget Director in a statement that  
15 includes:

16 a. The amount of funds advanced;  
17 b. The programs to which the funds were allocated; and  
18 c. The anticipated source and timeline for repayment.

19 4. The Governor shall not authorize the use of more than five percent  
20 (5%) of the total balance of the budget reserve trust fund without the  
21 prior approval of the General Assembly.

22 (5) Before authorizing any allotments from the budget reserve trust fund account, the  
23 secretary of the Finance and Administration Cabinet shall notify in writing the  
24 Interim Joint Committee on Appropriations and Revenue. The notice shall include  
25 the amount and purpose for the proposed allotment.

26 (6) Within thirty (30) days of the close of each fiscal year, the secretary of the Finance  
27 and Administration Cabinet shall report to the Interim Joint Committee on

1        Appropriations and Revenue the general fund receipts collected for the fiscal year  
2        just ended, the balance of the budget reserve trust fund account, and any amounts  
3        deposited to the budget reserve trust fund account pursuant to the provisions of  
4        subsection (2) of this section.

5        (7) All sums appropriated or deposited to the budget reserve trust fund account shall  
6        not lapse at the close of the fiscal year but shall carry forward into the next fiscal  
7        year.

8        ➔Section 2. Whereas the continuity of the SNAP program for citizens of the  
9        Commonwealth is necessary during a lapse in federal appropriations, an emergency is  
10       declared to exist, and this Act takes effect upon its passage and approval by the Governor  
11       or upon its otherwise becoming a law.