

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" means:*

7 *1. Any tract of land, including all income-producing improvements, of at*
8 *least ten (10) contiguous acres in area used for the production of*
9 *livestock, livestock products, poultry, poultry products or the growing*
10 *of tobacco or other crops including timber; or*

11 *2. Any tract of land devoted to and meeting the requirements and*
12 *qualifications for payments pursuant to agriculture programs under*
13 *an agreement with the state or federal government;*

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

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

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

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

24 *(4) If light emitted from an outdoor light fixture encroaches on agricultural land, the*
25 *owner of that land may submit a complaint in writing to the cabinet, and the*
26 *cabinet shall ensure that the outdoor light fixture is fully shielded within thirty*
27 *(30) days of the date of the submission of the written complaint.*

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

6 →Section 2. Whereas it is critical to protect agricultural land from damage caused
7 by light pollution and to protect farmers of the Commonwealth from any losses in crop
8 yields resulting from light pollution as soon as possible, an emergency is declared to
9 exist, and this Act takes effect upon its passage and approval by the Governor or upon its
10 otherwise becoming a law.