

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, maintained, or
11 erected under the authority of the 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 installment.

17 (4) If light emitted from an outdoor light fixture owned or maintained by the cabinet
18 encroaches on agricultural land, the owner of that land may submit a complaint
19 in writing to the cabinet. If the cabinet ensures that the outdoor light fixture is
20 fully shielded within ten (10) days of the date of the submission of the written
21 complaint, the cabinet shall be 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 thirty (30) days.

25 ➔Section 2. Whereas it is critical to protect agricultural land from damage caused
26 by light pollution and to protect farmers of the Commonwealth from any losses in crop
27 yields resulting from light pollution as soon as possible, an emergency is declared to

- 1 exist, and this Act takes effect upon its passage and approval by the Governor or upon its
- 2 otherwise becoming a law.