

1           AN ACT relating to the Kentucky Positive Youth Development Commission.

2           WHEREAS, suicide is the second leading cause of death for youth and young  
3           adults in Kentucky; and

4           WHEREAS, the 2023 Kentucky Youth Risk Behavior Survey reported that 18.6  
5           percent of Kentucky high schoolers seriously considered attempting suicide, 8.6 percent  
6           of Kentucky high schoolers attempted suicide, and 24.6 percent of Kentucky middle  
7           schoolers purposely hurt themselves; and

8           WHEREAS, around 16 percent of Kentucky children between the ages of 3 and 17  
9           face anxiety or depression; and

10          WHEREAS, in 2024, 48 percent of American teenagers reported that social media  
11           sites have a mostly negative effect on people in their age group, up from 32 percent in  
12           2022; and

13          WHEREAS, experts say that suicide can be preventable when educators, students,  
14           and communities learn the warning signs and how to take action when a young person  
15           might be at risk of a suicidal crisis; and

16          WHEREAS, Kentucky can address the more harmful effects of social media  
17           through positive childhood experiences that are associated with reduced rates of  
18           depression, substance use, delinquent behavior, risky sexual behavior, persistent  
19           insomnia, and lower inflammatory markers; and

20          WHEREAS, research demonstrates a dose-response relationship between childhood  
21           exposure to adverse experiences and positive childhood experiences, with improvements  
22           in mental and relational health in adulthood for those who have more positive childhood  
23           experiences;

24          NOW, THEREFORE,

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

26          ➔ SECTION 1. A NEW SECTION OF KRS CHAPTER 210 IS CREATED TO  
27          READ AS FOLLOWS:

1    As used in Sections 1 to 3 of this Act, unless the context otherwise requires:

2    (1) "Commission" means the Kentucky Positive Youth Development Commission  
3    established in Section 2 of this Act;

4    (2) "Department" means the Department for Behavioral Health, Developmental and  
5    Intellectual Disabilities;

6    (3) "Eligible organization" means an organization that provides positive youth  
7    development programming;

8    (4) "Positive youth development programming":

9       (a) Means structured programs or activities that:

10       1. Promote youth mental well-being;

11       2. Aim to reduce risk factors for suicide, self-harm, and related adverse  
12    outcomes of mental health challenges;

13       3. Engage youth through adult mentorship, enrichment, after school  
14    supports, and community connection;

15       4. Utilize evidence-based or evidence-informed practices;

16       5. Are prevention-focused;

17       6. Are provided to youth outside of school hours; and

18       7. Are provided to parents and adult caregivers for the purpose of family  
19    engagement; and

20       (b) Does not include education programming provided during school hours;  
21       and

22       (5) "Youth" means school-age children and young adults up to age twenty-five (25).

23       ➔ SECTION 2. A NEW SECTION OF KRS CHAPTER 210 IS CREATED TO  
24    READ AS FOLLOWS:

25       (1) The Positive Youth Development Commission is hereby established and shall be  
26    attached to the Department for Behavioral Health, Developmental and  
27    Intellectual Disabilities within the cabinet to promote youth well-being and

1        connection to prevent self-harm among children and youth through accessible,  
2        community-based programs. The cabinet shall provide staffing for the  
3        commission.

4        (2) (a) The commission shall consist of the following voting members:

- 5        1. The commissioner of the Department for Behavioral Health,  
6        Developmental and Intellectual Disabilities or his or her designee,  
7        who shall act as chair;
- 8        2. The State Treasurer or his or her designee;
- 9        3. The secretary of the cabinet or his or her designee;
- 10        4. The commissioner of the Department for Public Health or his or her  
11        designee;
- 12        5. The commissioner of the Department of Education or his or her  
13        designee;
- 14        6. The Attorney General or his or her designee;
- 15        7. The chairperson of the State Interagency Council for Services and  
16        Supports to Children and Transition-Age Youth or his or her  
17        designee;
- 18        8. One (1) member appointed by the chairperson of the State Interagency  
19        Council for Services and Supports to Children and Transition-Age  
20        Youth to represent the regional interagency councils;
- 21        9. One (1) member appointed by the secretary representing the Suicide  
22        Prevention Program within the Department for Behavioral Health,  
23        Developmental and Intellectual Disabilities;
- 24        10. Two (2) members appointed by the secretary representing  
25        grantmaking organizations that have funded grants to serve children  
26        and youth;
- 27        11. One (1) member appointed by the Attorney General representing law

### **enforcement;**

12. One (1) member appointed by the secretary who is a mental health provider specializing in the mental, social, and emotional development of children;

**13. One (1) member appointed by the secretary representing the Kentucky Chapter of the American Academy of Pediatrics;**

14. One (1) member appointed by the secretary who is a psychologist specializing in social media addiction; and

15. One (1) member appointed by the Department of Kentucky State Police who is a Kentucky State Police school resource officer as defined in KRS 158.441.

(b) The commission shall consist of the following nonvoting members who shall serve at the pleasure of their appointing authorities:

1. One (1) member appointed by the Speaker of the House of Representatives;

**2. One (1) member appointed by the President of the Senate;**

**3. One (1) member appointed by Kentucky Youth Advocates:**

**4. Two (2) members appointed by the secretary from statewide youth-serving organizations from geographically diverse areas; and**

5. *One (1) member from the Kentucky Out-of-School Alliance.*

21        (3) (a) Members of the commission appointed under subsection (2)(a)1. to 7. of this  
22                section shall serve terms concurrent with holding their respective offices or  
23                positions.

(b) The remaining members of the commission shall serve staggered two (2) year terms.

(c) Members of the commission shall not receive compensation for their services but may be reimbursed for necessary travel and lodging expenses

**incurred in the performance of their duties.**

(4) (a) Meetings of the commission shall be conducted according to KRS 61.805 to 61.850.

**(b) The commission shall meet at least twice within each calendar year.**

(c) Eight (8) voting members of the commission shall constitute a quorum for the transaction of business.

(d) Each voting member of the commission shall have one (1) vote, with all actions being taken by an affirmative vote of the majority of members present.

10 (5) The commission may contract with any public or private agency or any individual  
11 for research, the gathering of information, the printing and publication of  
12 reports, consulting, or for any other purposes necessary to discharge the duties of  
13 the commission.

14        **(6) The department shall promulgate administrative regulations in accordance with**  
15        ***KRS Chapter 13A to:***

(a) Establish a grant application process for eligible organizations;

(b) Award moneys from the positive youth development fund established in Section 3 of this Act to eligible organizations to fund positive youth development programming impacting children and youth in Kentucky; and

(c) Identify and coordinate with a grantmaking entity to develop applications and reporting requirements, monitor utilization of granted funds, administer quality control, and evaluate services or grant funds to fulfill these duties.

→ SECTION 3. A NEW SECTION OF KRS CHAPTER 210 IS CREATED TO

25 READ AS FOLLOWS:

26 (1) There is hereby established in the State Treasury a trust and agency account to be  
27 *known as the positive youth development fund. The fund shall consist of:*

1                   (a) Moneys received by the Commonwealth, counties, consolidated local  
2                   governments, urban-county governments, and cities of the Commonwealth  
3                   in any settlement, judgement, or bankruptcy proceeding against any social  
4                   media company or person related to harms against children and youth to  
5                   the extent that it is not inconsistent with an order of a court of competent  
6                   jurisdiction; and

7                   (b) Any other moneys received from state appropriations, gifts, grants, federal  
8                   funds, and any other source not prohibited by law.

9                   (2) The fund shall be administered by the cabinet.

10                  (3) Amounts deposited in the fund shall be used for the purposes described in  
11                  Sections 1 to 3 of this Act and for no other purpose.

12                  (4) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal  
13                  year shall not lapse but shall be carried forward into the next fiscal year.

14                  (5) The commission shall reserve ten percent (10%) of the funds to administer the  
15                  grant program and provide technical assistance to organizations applying for and  
16                  administering grants under Sections 1 to 3 of this Act.

17                  (6) Moneys in the funds shall be distributed no less than annually.

18                  (7) (a) The Office of the Attorney General may recover its reasonable costs of  
19                  litigation from moneys received from a legal settlement, judgement, or  
20                  bankruptcy proceedings related to litigation against social media  
21                  companies.

22                  (b) The Office of the Attorney General may recover any direct costs, including  
23                  employee time, used to perform or administer the duties required by  
24                  Sections 1 to 3 of this Act. The Office of the Attorney General shall report  
25                  all such recovered costs to the commission no less than annually.

26                  ➔ Section 4. KRS 200.503 is amended to read as follows:

27                  As used in KRS 200.501 to 200.509, unless the context otherwise requires:

- 1    (1) "Child with a behavioral health need" means a child or transition-age youth with, or  
2        at risk of developing, an emotional disability, substance use disorder, or mental,  
3        emotional, or behavioral needs;
- 4    (2) "Child with an emotional disability" means a child or transition-age youth with a  
5        clinically significant disorder of thought, mood, perception, orientation, memory, or  
6        behavior that is listed in the current edition of the American Psychiatric  
7        Association's Diagnostic and Statistical Manual of Mental Disorders and seriously  
8        limits a child's capacity to function in the home, school, or community;
- 9    (3) "Child with a serious emotional disability" means a child or transition-age youth  
10       with a clinically significant disorder of thought, mood, perception, orientation,  
11       memory, or behavior that is listed in the current edition of the American Psychiatric  
12       Association's Diagnostic and Statistical Manual of Mental Disorders and that:
  - 13        (a) Presents substantial limitations that have persisted for at least one (1) year or  
14           are judged by a mental health professional to be at high risk of continuing for  
15           one (1) year without professional intervention in at least two (2) of the  
16           following five (5) areas: "Self-care," defined as the ability to provide, sustain,  
17           and protect his or herself at a level appropriate to his or her age;  
18           "Interpersonal relationships," defined as the ability to build and maintain  
19           satisfactory relationships with peers and adults; "Family life," defined as the  
20           capacity to live in a family or family type environment; "Self-direction,"  
21           defined as the child's ability to control his or her behavior and to make  
22           decisions in a manner appropriate to his or her age; and "Education," defined  
23           as the ability to learn social and intellectual skills from teachers in available  
24           educational settings;
  - 25        (b) Is a Kentucky resident and is receiving residential treatment for emotional  
26           disability through the interstate compact;
  - 27        (c) The Department for Community Based Services has removed the child from

3 (d) Is a person under twenty-one (21) years of age meeting the criteria of  
4 paragraph (a) of this subsection and who was receiving services prior to age  
5 eighteen (18) that must be continued for therapeutic benefit;

6 (4) "Least restrictive alternative mode of treatment" means treatment given in the least  
7 confining setting which will provide a child or transition-age youth with an  
8 emotional disability or serious emotional disability appropriate treatment or care  
9 consistent with accepted professional practice. For purposes of this section, least  
10 restrictive alternative mode of treatment may include an institutional placement;

11 (5) **"Positive youth development programming"** has the same meaning as in Section  
12 1 of this Act;

13     (6) "System of care" means a spectrum of effective, community-based services and  
14        supports for children and transition-age youth with or at risk of developing  
15        behavioral health needs and their families, that is organized into a coordinated  
16        network, builds meaningful partnerships with families and youth, and addresses  
17        their cultural and linguistic needs, in order to help them to function better at home,  
18        in school, in the community, and throughout life; and

19 (7)[(6)] "Transition-age youth" means individuals between the ages of sixteen (16)  
20 and twenty-five (25).

21 ➔ Section 5. KRS 200.505 is amended to read as follows:

22 There is hereby created a State Interagency Council for Services and Supports to  
23 Children and Transition-Age Youth. The chairperson of the council shall be designated  
24 by the Governor and shall establish procedures for the council's internal procedures.

25 (1) This council shall be composed of the following:

26 (a) Members who shall serve by virtue of their positions: the commissioner of the  
27 Department of Education, the commissioner of the Department for Behavioral

1 Health, Developmental and Intellectual Disabilities, the state suicide  
2 prevention coordinator from the Department for Behavioral Health,  
3 Developmental and Intellectual Disabilities, the commissioner of the  
4 Department for Community Based Services, the commissioner of the  
5 Department for Public Health, the Attorney General, the commissioner of the  
6 Department for Medicaid Services, the commissioner of the Department of  
7 Juvenile Justice, the director of the Division of Family Resource and Youth  
8 Services Centers, the executive director of the Office for Children with  
9 Special Health Care Needs, the executive officer of the Department of Family  
10 and Juvenile Services of the Administrative Office of the Courts, the chair of  
11 the Subcommittee for Equity and Justice for all Youth of the Juvenile Justice  
12 Advisory Board, the executive director of the Kentucky Housing Corporation,  
13 the executive director of the Kentucky Office of Vocational Rehabilitation,  
14 and the president of the Council on Postsecondary Education, or their  
15 designees;

16 (b) The chairperson of the council shall appoint one (1) parent of a child or  
17 transition-age youth with a behavioral health need, who is a consumer of  
18 services and supports within the system of care to serve as a member of the  
19 council, and one (1) parent who meets the same criteria to serve as the parent  
20 member's alternate to serve in the absence of the parent member. For each  
21 appointment to be made, the State Interagency Council for Services and  
22 Supports to Children and Transition-Age Youth shall vote on nominations  
23 submitted by members. The nominee receiving the most votes shall be  
24 appointed. Appointees shall serve a term of two (2) years and may be  
25 reappointed to additional two (2) year terms. If the child of the parent member  
26 or alternate parent member ceases to be a consumer of services and supports  
27 within the system of care during the term of appointment, the member shall be

1 eligible to serve out the remainder of the term of appointment. The alternate  
2 parent member may attend and participate in all council meetings but shall  
3 vote only in the absence of the parent member. The parent member and  
4 alternate parent member shall receive no compensation in addition to that  
5 which they may already receive as service providers or state employees who  
6 are required to attend as part of their duties, but the parent member and  
7 alternate parent member shall be reimbursed for expenses incurred through  
8 the performance of their duties as council members if it is outside the scope of  
9 their job duties;

10 (c) The chairperson of the council shall appoint two (2)~~one (1)~~ youth between  
11 the ages of sixteen (16) and twenty-five (25), one (1) who has a behavioral  
12 health disorder and who is receiving or has received services to address  
13 mental health, and one (1) who has substance use, or co-occurring mental  
14 health and substance use disorder, to serve as a member of the council, and  
15 one (1) youth who meets the same criteria to serve as the youth member's  
16 alternate in the absence of the youth member. For each appointment to be  
17 made, the State Interagency Council for Services and Supports to Children  
18 and Transition-Age Youth shall vote on nominations submitted by members.  
19 The nominee receiving the most votes shall be appointed. Appointees shall  
20 serve a term of two (2) years and may be reappointed to additional two (2)  
21 year terms, and the youth member and the youth member's alternate shall be  
22 eligible to serve out the remainder of their term of appointment regardless of  
23 age. The alternate youth member may attend and participate in all council  
24 meetings but shall vote only in the absence of the youth member. The youth  
25 member and alternate youth member shall receive no compensation in  
26 addition to that which they may already receive as service providers or state  
27 employees who are required to attend as part of their duties, but the youth

1                   member and alternate youth member shall be reimbursed for expenses  
2                   incurred through the performance of their duties as council members if it is  
3                   outside the scope of their job duties;

4                   (d) The chairperson of the council shall appoint one (1) member of a nonprofit  
5                   family organization representing consumers of services and supports within  
6                   the system of care whose membership, leadership, and governance include  
7                   parents, primary caregivers, or children or transition-age youth with serious  
8                   emotional, behavioral, or mental health needs, to serve as a member of the  
9                   council. For each appointment to be made, the chair shall publicly post on the  
10                  State Interagency Council for Services and Supports to Children and  
11                  Transition-Age Youth Web site a solicitation for letters of interest from  
12                  qualified organizations and submit all qualified responses to a vote of the full  
13                  membership. The organization which receives the most votes shall designate a  
14                  representative to serve a term of two (2) years, and may be reappointed to  
15                  additional two (2) year terms. The family organization member shall receive  
16                  no compensation in addition to that which the member may already receive as  
17                  an employee who is required to attend as part of his or her duties, but shall be  
18                  reimbursed for expenses incurred through the performance of duties as a  
19                  council member if it is outside the scope of his or her job duties; and

20                  (e) At the end of a term, a member shall continue to serve until a successor is  
21                  appointed.

22                  (2) The State Interagency Council for Services and Supports to Children and  
23                  Transition-Age Youth shall:

24                  (a) Make recommendations annually to the Governor and the Legislative  
25                  Research Commission regarding the system of care for children and  
26                  transition-age youth with or at risk of behavioral health needs;

27                  (b) Direct each regional interagency council to:

- 1        1. Operate as the regional locus of accountability for the system of care; and
- 2        2. Participate in family accountability, intervention, and response teams established pursuant to KRS 605.035; **and**
- 3        **3. Coordinate with the Kentucky Positive Youth Development Commission established in Section 2 of this Act to establish Suicide Awareness and Reduction Network workgroups that shall:**
  - 4        **a. Perform community needs assessments;**
  - 5        **b. Research opportunities for positive youth development programming; and**
  - 6        **c. Apply for grants to fund and implement positive youth development programming;**
- 7        (c) Assess the effectiveness of regional councils in serving as the locus of accountability for the system of care for children and transition-age youth with or at risk of behavioral health needs;
- 8        (d) Meet at least monthly and maintain records of meetings; and
- 9        (e) Develop a comprehensive array of services and supports to meet the needs of children and transition-age youth with or at risk of developing behavioral health needs.

10      (3) Agencies represented on the state council shall adopt interagency agreements as necessary to advance the system of care.

11      (4) The State Interagency Council for Services and Supports to Children and Transition-Age Youth may promulgate administrative regulations necessary to comply with the requirements of KRS 200.501 to 200.509.

12      ➔Section 6. KRS 200.509 is amended to read as follows:

13      (1) There are hereby created regional interagency councils for the system of care. These councils shall be formed in each area development district within the

1 Commonwealth of Kentucky, except that those area development districts that  
2 contain a county with a population greater than one hundred thousand (100,000)  
3 may form up to three (3) such councils. The regional interagency councils shall be  
4 chaired by one (1) member, chosen by a majority vote of the members. Each  
5 council shall be composed of the following members:

6 (a) The children's services director from each regional community mental health  
7 center or their designee;

8 (b) One (1) court-designated specialist or court-designated worker chosen by the  
9 executive officer of the Department of Family and Juvenile Services of the  
10 Administrative Office of the Courts;

11 (c) One (1) special education cooperative representative with behavioral health  
12 experience chosen by the directors of cooperatives in the area served by the  
13 regional council;

14 (d) One (1) parent of a child with a behavioral health need, who is or has been a  
15 consumer of system of care services and supports, and one (1) parent who  
16 meets the same criteria to serve as the parent member's alternate, who may  
17 attend and participate in all council meetings, but shall vote only in the  
18 absence of the parent member. For each appointment to be made, the regional  
19 interagency council for which the appointment is to be made shall submit to  
20 the chair of the State Interagency Council for Services and Supports to  
21 Children and Transition-Age Youth a list of two (2) names of parents who are  
22 qualified for appointment from which list the chair of the State Interagency  
23 Council for Services and Supports to Children and Transition-Age Youth shall  
24 make the appointment. Appointees shall serve a term of two (2) years, and  
25 may be reappointed to additional two (2) year terms. If the child of the parent  
26 member or alternate parent member ceases to be a consumer of system of care  
27 services and supports during the term of appointment, the member shall be

1 eligible to serve out the remainder of the term of appointment;

2 (e) One (1) transition-age youth who has a behavioral health disorder and who is

3 receiving or has received a service to address mental health, substance use, or

4 co-occurring mental health and substance use disorder, and one (1) transition-

5 age youth who meets the same criteria to serve as the youth member's

6 alternate in the absence of the youth member. For each appointment to be

7 made, the regional interagency council for which the appointment is to be

8 made shall submit to the chair of the State Interagency Council for Services

9 and Supports to Children and Transition-Age Youth a list of two (2) names of

10 transition-age youth who are qualified for appointment from which list the

11 chair of the State Interagency Council for Services and Supports to Children

12 and Transition-Age Youth shall make the appointment. Appointees shall serve

13 a term of two (2) years, and may be reappointed to additional two (2) year

14 terms. If the youth member or alternate youth member ceases to be a

15 consumer of system of care services and supports during the term of

16 appointment, the member shall be eligible to serve out the remainder of the

17 term of appointment;

18 (f) Any other local public or private agency that provides services and supports to

19 children and transition-age youth with behavioral health needs which the

20 regional interagency council may invite to have a representative become a

21 permanent or temporary member of the council; and

22 (g) One (1) representative from each of the Department of Juvenile Justice,

23 family resource and youth services centers, the Kentucky Office of Vocational

24 Rehabilitation, the Department for Community Based Services, and local

25 health departments.

26 (2) No member of a regional interagency council for the system of care shall be given

27 compensation in addition to that which they already receive as service providers or

1 state employees, except that the parent and youth members and alternate parent and  
2 youth members of regional interagency councils shall be reimbursed by the regional  
3 interagency council's contracted fiscal agent for all expenses incurred through the  
4 performance of their duties as council members if it is outside the scope of their job  
5 duties.

6 (3) Each regional interagency council for the system of care shall perform the  
7 following functions:

- 8 (a) Conduct regional system of care planning and operations;
- 9 (b) Coordinate system-level continuous quality improvement;
- 10 (c) Identify and develop system of care expansion opportunities;
- 11 (d) Promote awareness of the system of care;
- 12 (e) Initiate and adopt interagency agreements as necessary for providing services  
13 and supports to children and transition-age youth with or at risk of behavioral  
14 health needs by the agencies represented in the regional council;
- 15 (f) Advise the state interagency council regarding the system of care within the  
16 region; ~~and~~
- 17 (g) Participate in family accountability, intervention, and response teams  
18 established pursuant to KRS 605.035; and

19 (h) 1. Coordinate with the Kentucky Positive Youth Development  
20 Commission established in Section 2 of this Act to establish Suicide  
21 Awareness and Reduction Network workgroups whose membership  
22 shall include but not be limited to members representing:  
23 a. Local school districts;  
24 b. Local law enforcement;  
25 c. School resource officers;  
26 d. Mental health professionals;  
27 e. Local health departments;

- 1                   *f. Child development specialists or pediatricians;*
- 2                   *g. Regional community mental health centers;*
- 3                   *h. Parents of children and transition-age youth; and*
- 4                   *i. Transition age-youth.*
- 5                   **2. The workgroups shall:**
- 6                   *a. Perform community needs assessments;*
- 7                   *b. Research opportunities for positive youth development*
- 8                   *programming; and*
- 9                   *c. Apply for grants to fund and implement positive youth*
- 10                   *development programming.*
- 11                   (4) The secretary for health and family services and the designee of the State
- 12                   Department of Education shall ensure that regional interagency councils for the
- 13                   system of care are formed.
- 14                   (5) Local interagency councils for the system of care may be formed at the discretion of
- 15                   a regional interagency council to advance the functions of the regional interagency
- 16                   council at the city, county, or other local community level.
- 17                   ➔Section 7. Members of the commission appointed under subsection (2)(a)8. to
- 18                   11. of Section 2 of this Act shall serve an initial term of one (1) year and members of the
- 19                   commission appointed under subsection (2)(a)12. to 15. of Section 2 of this Act shall
- 20                   serve an initial term of two (2) years.