

1 AN ACT relating to state government.

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

3 ➔Section 1. KRS 56.463 is amended to read as follows:

4 The cabinet shall have the power and duty:

- 5 (1) To determine the comparative needs and demands of the various state agencies for  
6 acquiring real estate and for building projects;
- 7 (2) To purchase or otherwise acquire all real property determined to be needed for state  
8 use and upon the approval of the secretary of the Finance and Administration  
9 Cabinet as to the determination of need and as to the action of purchase or other  
10 acquisition, except as provided in KRS Chapters 175, 176, 177, and 180. All such  
11 acquisitions of real property or interests therein shall be made in accordance with  
12 KRS 45A.045;
- 13 (3) To sell or otherwise dispose of all property, including any interest in real property,  
14 of the state that is not needed or has become unsuitable for public use or would be  
15 more suitable consistent with the public interest for some other use as determined  
16 by the secretary of the Finance and Administration Cabinet. All such sales or other  
17 disposition shall be made in accordance with KRS 45A.045;
- 18 (4) (a) To control the use of any real property owned or otherwise held by the  
19 Commonwealth, or any state agency, and to determine for what periods of  
20 time and for what purposes any state agency may use the same, including the  
21 agency for whose use it was initially acquired or improved, and to determine  
22 what appropriate uses shall be made of such real property during periods that  
23 the cabinet finds the same is not required for the purposes of any particular  
24 state agency. The cabinet shall allocate to the General Assembly and the  
25 Legislative Research Commission all space within the New State Capitol  
26 Annex in the basement and on the first, second, third, and fourth floors,  
27 excluding:

- 1           1.   Mechanical areas, public entrances, vestibules, and restrooms; and
- 2           2.   The following additional space, as allocated on January 1, 2023:
  - 3           a.   Areas in the basement occupied by the Kentucky State Police and
  - 4                 Facilities Security;
  - 5           b.   Areas in the basement operated as the snack bar and cafeteria, as
  - 6                 well as storage areas related to the operation of the snack bar and
  - 7                 cafeteria;
  - 8           c.   The area in the basement operated as a nurse's station;
  - 9           d.   The area in the basement used as an automated teller machine
  - 10                 (ATM);
  - 11           e.   The office space in the basement occupied by the Secretary of
  - 12                 State;
  - 13           f.   Utility spaces in the basement west wing and east wing
  - 14                 northernmost hallways occupied by janitorial, maintenance, and
  - 15                 mechanical staff;
  - 16           g.   The loading dock in the rear of the annex basement, along with the
  - 17                 office space immediately adjacent to the loading dock on the back
  - 18                 wall of the annex, provided that the General Assembly and the
  - 19                 Legislative Research Commission shall be given access to and use
  - 20                 of the loading dock and the receiving areas adjacent to the loading
  - 21                 dock; and
  - 22           h.   Office and studio space on the first floor currently occupied and
  - 23                 used for broadcasting purposes by Kentucky Educational
  - 24                 Television.

25           All space assigned to the legislative branch and plans, uses, furnishings, and  
26           equipment therefor are subject to the specific approval of the Legislative  
27           Research Commission;

- 1 (b) All additional space in the New State Capitol Annex, not specifically  
2 allocated for use by the General Assembly and the Legislative Research  
3 Commission in paragraph (a) of this subsection, shall be allocated for the use  
4 of the legislative branch, with occupancy by the legislative branch to be  
5 determined by the Legislative Research Commission, upon a vote of a  
6 majority of the entire membership of the Legislative Research Commission;
- 7 (c) In order for the General Assembly and the Legislative Research Commission  
8 to efficiently utilize the space provided by paragraphs (a) and (b) of this  
9 subsection, the cabinet shall enter into a memorandum of understanding with  
10 the Legislative Research Commission on or about February 1, 2024, and as  
11 often as every two (2) years thereafter at the request of the Legislative  
12 Research Commission, to establish tenancy terms, including but not limited to  
13 building maintenance, repairs, renovations, and upgrades; facility security;  
14 janitorial services; and applicable rental and utilities rates. The Legislative  
15 Research Commission shall at any time, and upon at least sixty (60) days'  
16 notice, be authorized to discontinue the cabinet's provision of janitorial  
17 services for the New State Capitol Annex and to enter into a separate contract  
18 for the provision of those services, with the applicable rental and utilities rates  
19 to be proportionately reduced to reflect that separate contract, provided that  
20 the Legislative Research Commission may also at any time, and upon at least  
21 sixty (60) days' notice, elect to have the cabinet continue or reinstate the  
22 provision of those janitorial services at the cabinet's expense;
- 23 (d) For the purposes of this subsection, real property shall include the parking  
24 areas adjacent to the New State Capitol and the New State Capitol Annex, and  
25 the cabinet shall allocate to the General Assembly and the Legislative  
26 Research Commission all parking spaces within the Capitol campus parking  
27 garage, all parking spaces in the east, south, and west parking lots of the New

1 State Capitol Annex, and all parking spaces in the west parking lot of the New  
2 State Capitol, except for those spaces in the west parking lot of the New State  
3 Capitol allocated, as of January 1, 2023, to the Supreme Court of Kentucky,  
4 the Lieutenant Governor, the Attorney General, and the Secretary of State.  
5 Any further allocation of any parking spaces allocated pursuant to this  
6 paragraph shall be within the sole discretion of the Legislative Research  
7 Commission or its designee; and

- 8 (e) To determine the housing and furnishings needs of the various state agencies  
9 located in Frankfort and to establish and put into effect a permanent program  
10 for housing them. Subject to paragraphs (a) and (b) of this subsection, the  
11 cabinet is also authorized and directed to allocate office space and furnishings  
12 in existing public buildings located in Frankfort, exclusive of the third and  
13 fourth floors of the New State Capitol and the space in the New State Capitol  
14 Annex allocated to the legislative branch, according to the needs of the  
15 various agencies. When necessary, the cabinet is authorized to provide  
16 additional office space and furnishings in Frankfort under any building  
17 program the cabinet deems most advisable and economical for the state. The  
18 permanent housing program shall include provisions for housing the General  
19 Assembly and its related agencies, including the Legislative Research  
20 Commission, and its subcommittees, the executive offices, the Supreme Court  
21 and the clerk of the Supreme Court, the Department of Law and the law  
22 library, in the New State Capitol, provided the General Assembly and the  
23 Legislative Research Commission shall have complete control and exclusive  
24 use of the third and fourth floors of the New State Capitol and shall have  
25 exclusive use of the space in the New State Capitol Annex allocated to them  
26 under paragraphs (a) and (b) of this subsection. If there be any additional  
27 space in the Capitol, it shall be assigned to agencies whose activities are most

1           closely related to the agencies directed to be located permanently in the  
2           Capitol;

3 (5) To acquire, by condemnation in the manner provided in the Eminent Domain Act of  
4 Kentucky, any real estate necessary for use by the state or by any state agency,  
5 when the cabinet is unable to agree with the owner thereof on a price for such real  
6 estate;

7 (6) To lease any real property, or any interest in such real property, owned by the state  
8 or any agency thereof, in accordance with KRS 45A.045;

9 (7) To provide for and adopt plans and specifications as may be necessary, to provide  
10 adequate public notice for and receive bids for any expenditures proposed to be  
11 made, to award contracts for the purpose authorized, to supervise construction and  
12 make changes and revisions in plans and specifications or in construction as may  
13 become necessary, and generally to do any and all other things as may become  
14 necessary or expedient in order to effectively fulfill and carry out the purposes of  
15 this chapter, including the right to employ clerks, engineers, statisticians, architects,  
16 or other persons required to be employed in order to fulfill the functions of the  
17 Commonwealth relating to state property and buildings provided in KRS 56.450 to  
18 56.550; and

19 (8) To adopt rules and promulgate administrative regulations ***in accordance with KRS***  
20 ***Chapter 13A*** as may be necessary to govern the acquisition, control, and disposition  
21 of the real property to which this section is applicable.