

1 AN ACT relating to a residential safe room rebate program.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 39A IS CREATED TO  
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "FEMA" means the Federal Emergency Management Agency;

7 (b) "Qualified homeowner" means a resident of this state who has constructed  
8 a residential safe room with the intent to open it to others within their  
9 community in the event of a weather-related emergency; and

10 (c) "Residential safe room" means a structure that is:

11 1. a. Stand alone and adjacent to a qualified homeowner's primary  
12 residence; or

13 b. An internal safe room within or affixed to the qualified  
14 homeowner's primary residence;

15 2. Designed and constructed to meet or exceed the standards contained  
16 in the most current editions of the International Code Council Inc.'s,  
17 ICC 500 and FEMA P-361, in adherence to FEMA funding criteria;  
18 and

19 3. Made available and opened to the community during a weather-  
20 related emergency.

21 (2) (a) There is hereby established in the State Treasury a trust and agency  
22 account to be known as the residential safe room rebate fund.

23 (b) The fund shall consist of moneys received from state appropriations, gifts,  
24 grants, federal funds, and other funds, both private and public.

25 (c) Notwithstanding KRS 45.229, any moneys remaining in the fund at the  
26 close of the fiscal year shall not lapse but shall be carried forward into the  
27 succeeding fiscal year to be used for the purposes set forth in this section.

1       (d) Any interest earnings of the fund shall become a part of the fund and shall  
2       not lapse.

3       (3) (a) The residential safe room rebate fund shall be administered by the division  
4       to provide rebates for costs incurred by qualified homeowners related to the  
5       construction or installation of a residential safe room.

6       (b) The rebate shall:

7               1. Equal fifty percent (50%) of the costs incurred in constructing or  
8               installing a residential safe room; and

9               2. Not exceed five thousand dollars (\$5,000).

10      (4) The division shall:

11           (a) Create an application process by which a qualified homeowner may request  
12           a rebate for the construction or installation of a residential safe room;

13           (b) Verify that the residential safe room complies with all FEMA guidelines;

14           (c) Verify that the residential safe room will be open to those in the community,  
15           and complete an affidavit of agreement for such that includes:

16                   1. The location of the residential safe room;

17                   2. The occupancy of the safe room;

18                   3. An indication of how potential safe room occupants will know how to  
19                   locate the safe room; and

20                   4. The distance the impacted population will travel to the safe room;

21           (d) Maintain a list for the public of all residential safe rooms available in this  
22           state during a severe weather event; and

23           (e) Beginning January 2027, in January and July of each year as long as funds  
24           are available, provide:

25                   1. Approval of a qualified homeowner's application and issue a  
26                   residential safe room rebate;

27                   2. An explanation of adjustment or denial of a requested rebate; or

- 1                   3. A method of prioritization for applications in the succeeding calendar  
2                   year in the event that funding is not available for all approved rebate  
3                   applications received in the current application round.
- 4   (5) A qualified homeowner shall provide to the division within thirty (30) days for  
5   which the costs were incurred for the construction or installation of a residential  
6   safe room:
- 7                   (a) A completed application;  
8                   (b) Copies of invoices and corresponding proof of payment in support of the  
9                   residential safe room costs and amount of rebate requested;  
10                  (c) A signed certificate of installation;  
11                  (d) Coordinates of the location of the residential safe room;  
12                  (e) Building and zoning permits, if applicable;  
13                  (f) Certification from the manufacturer or a design professional attesting that  
14                  the residential safe room and components meet FEMA standards; and  
15                  (g) Any other information the division deems necessary during the rebate  
16                  approval process.
- 17   (6) The division shall promulgate administrative regulations in accordance with KRS  
18   Chapter 13A to effectively administer this program.
- 19   (7) By April 1 of each year and annually thereafter as long as the residential safe  
20   room rebate is available, the division shall report to the Legislative Research  
21   Commission for referral to the Senate, House, or Interim Joint Committee on  
22   Appropriations and Revenue the following for the previous calendar year's  
23   applications:
- 24                  (a) The total number of applications received by county;  
25                  (b) The total number and amounts of rebates requested by qualified  
26                  homeowners, by county;  
27                  (c) The total number and amounts of rebates issued, by county;

- 1        (d)    *The reasons for denial or adjustment of the requested rebates; and*
- 2        (e)    *The balance in the residential safe room rebate fund at the beginning and*
- 3        *ending of the corresponding fiscal years.*