



April 2, 2018

2018 Legislative Session

With just a handful of days left in the session, several big ticket items have moved through the legislature. By finishing work on these major pieces of legislation before midnight struck on Monday night, the General Assembly has preserved its ability to override any of the Governor's vetoes with a constitutional majority vote in both the House and Senate. The House and Senate are currently scheduled to reconvene at 10am on Friday, April 13th to consider veto overrides. Although the constitution allows for the General Assembly to meet until Midnight on April 15th, the Legislature cannot meet on a Sunday. Therefore, the last legislative day of the 2018 Session, or Sine Die, will be Saturday, April 14th.

BUDGET

The free conference committee comprised of members of House and Senate leadership finished its work Monday morning on the two-year budget, which sets levels for the public funds that state agencies can spend during a given fiscal year. HB 200 was presented first in the House, where it was debated and passed with a vote of 59-36. It was then sent to the Senate for consideration, where it was also passed with a vote of 25-13. The budget has been delivered to the Governor.

TAX REFORM

In conjunction with the release of the budget, a tax reform bill was also presented. The changes proposed in the plan would generate \$238.8 million in 2019 and \$248.1 million in 2020, representing a total increase of \$486.9 million over two years. This bill passed in the House with a vote of 51-44 and the passed in the Senate with a vote of 20-18. Of note, the tax reform bill sets individual and corporate tax rates to a flat rate of 5%; limits personal deductions to social security income, Mortgage Interest Deduction, charitable giving; and expands the tax base to include a sales tax on some select services (see list below). So, while there will be significant changes to the Kentucky tax system, the MID is protected and the sales tax on services will not apply to real estate transactions.

New Sales Tax On Select Services Would Apply to the Following:

- Landscaping Services
- Janitorial Services
- Pet Care Veterinarian Services (small animals)
- Fitness and Recreational Sports Centers
- Industrial Laundry Services (uniforms)

- Golf Courses and Country Clubs
- Dry Cleaning and laundry Services, except coin-operated
- Pet Grooming and Boarding Services, except Veterinary Services
- Linen Supply (bed linens, gowns, diapers, towels, excluding charitable hospitals)
- Diet and Weight Reducing Centers (non-medical)
- Overnight Trailer Campgrounds
- Other Personal Care Services (tanning beds)
- Bowling Centers
- Limousine Services
- Extended Warranties

PENSION

Pension reform passed in both the House and Senate late last Thursday before heading to the Governor. The legislation moves future teachers into a hybrid cash balance plan, caps the amount of sick leave that current teachers can use towards their retirement, and moves to a level-dollar formula to ensure proper funding levels are put into the retirement systems up front. The bill does not change current or retired teachers' cost of living adjustments (COLAs).

WORKERS COMPENSATION

The Governor signed into law legislation that reforms the Kentucky Workers Compensation System. The bill, which was sponsored by Rep. Adam Koenig, marks the first changes made to the Worker's Compensation system in over 20 years. Kentucky REALTORS® supported this bill because it aims to improve Kentucky's business climate and its competitiveness with our neighboring states, and a stronger economy means a means a stronger real estate market.

Helpful Links

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Please be sure to look for KYR's Legislative Update sent weekly during this legislative session for the latest updates and information in Frankfort and how it affects your business.

KYR and the Quick Response Team will keep you up to date on issues during the 2018 Legislative Session. Please contact Pamela Gregory, KYR Governmental Affairs Director, at pgregory@kyrealtors.com if you have questions or comments regarding KYR's legislative activity.

KYR is tracking (either supporting, opposing or monitoring) numerous bills that relate to real estate, either directly or indirectly, from landlord tenant issues, planning and zoning, home inspections, condo associations, economic development incentives, etc.

Below is a complete list of bills that KYR, through the Legislative Quick Response Team, have considered to ensure the protection of the real estate industry and homeownership.

KYR Bill Tracker

PREVIOUSLY TRACKED BILLS (52) (note: changes in status are highlighted in yellow below)

SUPPORT (9):

HB2 WORKERS COMPENSATION (KOENIG, A) AN ACT relating to workers compensation.

Amend KRS 342.020 to limit the time period of payment of medical expenses for certain permanent partial disabilities to 780 weeks but provide a mechanism to apply for extended benefits; limit the number of drug screens for which the employer will be liable; amend KRS 342.035 to specify circumstances upon which utilization review can be waived; mandate promulgation of treatment guidelines and a pharmaceutical formulary; clarify that a fee shall not be charged when an injured worker requests the initial copy of medical records; amend KRS 342.040 to indicate that interest will not accrue when the delay in payment of benefits was caused by the employee; amend KRS 342.125 to clarify that the four-year period in which to reopen a claim begins on the date of the original order granting or denying benefits and that subsequent orders granting or denying benefits shall not be considered an original order; amend KRS 342.185 to indicate that an application for adjustment of claim for compensation for a cumulative trauma injury must be made within five years of the last injurious exposure to the cumulative trauma; amend KRS 342.270 to require commissioner of Department of Workers' Claims to promulgate regulations establishing procedures for resolution of claims; amend KRS 342.315 to include pulmonary specialist as an examiner; amend KRS 342.316 to change procedure for filing occupational disease claims; amend KRS 342.320 to change calculation of attorney fees and increase limitation on amount of fees; amend KRS 342.610 to indicate that the employee must show that the voluntary introduction of a substance into his or her body that causes a disturbance of mental or physical capacities was not the proximate cause of his or her injury; amend KRS 342.700 to allow the recovery in subrogation of indemnity and medical expenses paid to or on behalf of the employee, less a pro rata share of the employee's legal expenses; amend KRS 342.730 to increase average weekly wage caps; set time limits for total disability benefits paid to certain professional athletes; allow payment of temporary total disability benefits to be offset by gross income minus applicable taxes paid to an employee during a period of light-duty work or work in an alternative job position; provide an offset against temporary total disability benefits for salary continuation or wholly employer-funded disability retirement plans; indicate that benefits shall terminate when a plaintiff reaches age 67 or two years after the date of injury, whichever shall last occur; amend KRS 342.7305 to require employment for a minimum of one year in order to be the responsible employer in a hearing loss claim; amend KRS 342.732 to set forth parameters for retraining; delete provisions of KRS 342.792 requiring the commissioner of Department of Workers' Claims to adopt regulations regarding the "B" reader process; amend KRS 342.794 to require commissioner of Department of Workers' Claims to maintain a list of "B" readers who are pulmonary specialists; amend KRS 342.990 to conform; specify the applicability of substantive changes to claims arising on or after effective date of Act and remedial changes to all claims irrespective of injury date.

Current Status: 3/30/2018 - SIGNED BY GOVERNOR
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB2.htm>
KYR Position: SUPPORT

HB266 REAL PROPERTY DEEDS (MEREDITH, M) AN ACT relating to deeds to real property.

Amend KRS 382.135 to describe the requisite "full name" for a grantor and grantee when recording a deed to real property and direct that the record is still notice and admissible as evidence if the instrument is not in compliance with the provisions as set out in this section.

Current Status: 3/29/2018 - floor amendment (1) filed to Committee Substitute
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB266.htm>
KYR Position: SUPPORT

HB283 HOME MODIFICATION TAX CREDITS (PRUNTY, M) AN ACT relating to home modification tax credits.

Create a new section of KRS Chapter 141 to allow an income tax credit for qualified home modification expenses incurred by an individual equal to the actual cost of the home modifications, up to \$7,500 per taxpayer per year; limit total credits to \$500,000 per year; require reporting by the Department of Revenue; amend KRS 141.0205 to order the tax credit, amend various sections of KRS Chapter 131 and 141 to make technical corrections.

Current Status: 2/2/2018 - (H) Referred to Committee House Appropriations and Revenue
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB283.htm>
KYR Position: SUPPORT

HB284 HIGH COST HOME LOANS (OVERLY, S) AN ACT relating to high-cost home loans.

Amend KRS 360.100 to update references to federal law and to provide exemptions for initial construction loans and short-term "bridge" loans to match federal regulation.

Current Status: 2/2/2018 - (H) Referred to Committee House Banking and Insurance
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB284.htm>
KYR Position: SUPPORT

HB322 PLANNING AND ZONING (GOOCH, J) AN ACT relating to planning and zoning enforcement action appeals.

Create a new section of KRS Chapter 100 allowing a party to recover court costs and reasonable attorney's fees when appealing an action of an enforcement officer, or underlying zoning regulation or ordinance that results in a monetary penalty, is finally found to be arbitrary, unenforceable, or unconstitutional.

Current Status: 3/14/2018 - House Local Government, (Bill Scheduled for Hearing)
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB322.htm>
KYR Position: SUPPORT

HB325 CONDOMINIUMS (GRAHAM, D) AN ACT relating to condominiums.

Amend KRS 381.870 to provide that condominium administration and maintenance fees may be allocated for as provided in the master deed.

Current Status: 3/1/2018 - (H) posted in committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB325.htm>
KYR Position: SUPPORT

HB329 ASSISTANCE ANIMALS (KOENIG, A) AN ACT relating to assistance animals.

Create a new section of KRS Chapter 383 to allow a person with a disability or disability-related needs to make a reasonable request for an accommodation in housing to maintain an assistance animal; allow a person receiving a request to ask for documentation on the assistance animal; provide penalties for the offense of misrepresentation of an assistance animal.

Current Status: 3/30/2018 - filed without Governor's signature with the Secretary of State
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB329.htm>
KYR Position: SUPPORT

HB368 AUCTIONEERS (MEADE, D) AN ACT relating to auctioneers.

Amend KRS 330.020 to define "escrow account"; amend KRS 330.060 to remove the board's authority to waive the attainment of a high school diploma for an apprentice licensed before 1985; amend KRS 330.110 to establish the conditions upon which the board may suspend or revoke a license; amend KRS 330.220 to allow auctioneers at reserve auctions and without-reserve auctions to establish reasonable, minimum bid increments once an opening bid has been offered; amend KRS 330.990 to establish jurisdiction for injunctive relief.

Current Status: 3/29/2018 - (S) Returned to Committee Senate Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB368.htm>
KYR Position: SUPPORT

SB139 REAL PROPERTY DEEDS (WEST, S) AN ACT relating to deeds to real property.

Amend KRS 382.135 to describe the requisite "full name" for an grantor and grantee when recording a deed to real property and direct that the record is still notice and admissible as evidence if the instrument is not in compliance with the provisions as set out in this section.

Current Status: 3/29/2018 - delivered to Governor
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB139.htm>
KYR Position: SUPPORT

OPPOSE (5):

HB358 OCCUPATIONAL LICENSE TAX (ROTHENBURGER, R) AN ACT relating to occupational license taxes and declaring an emergency.

Amend KRS 68.197 to apply its provisions to counties with populations less than 300,000; remove the cap of one percent on license fees; remove crediting provisions between the county and the cities, except as by agreement between the city and the county; amend KRS 68.604 to conform; repeal KRS 68.198 and 68.199; EMERGENCY.

Current Status: 2/15/2018 - (H) Referred to Committee House Local Government
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB358.htm>
KYR Position: OPPOSE

HB435 REAL ESTATE (TIPTON, J) AN ACT relating to real estate.

Amend KRS 324.360 to require it to apply to all real estate transactions if any person licensed under Chapter 324 receives compensation; require the Kentucky Real Estate Commission to promulgate administrative regulations authorizing seller disclosure forms for residential single family, residential multi-family, vacant land, and commercial properties; eliminate the exception for the use of a seller's disclosure of conditions form for residential purchases of new homes if a warranty is offered.

Current Status: 2/26/2018 - (H) Referred to Committee House Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB435.htm>
KYR Position: OPPOSE

HB550 UNIFORM RESIDENTIAL LANDLORD AND TENANT ACT (CANTRELL, M) AN ACT relating to the Uniform Residential Landlord and Tenant Act.

Repeal, reenact, and amend KRS 383.500 to apply the Uniform Residential Landlord and Tenant Act on a statewide basis; repeal, reenact, and amend the various sections of KRS 383.500 to 383.715 constituting that Act without substantive change.

Current Status: 3/1/2018 - (H) Referred to Committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB550.htm>
KYR Position: OPPOSE

HB556 PROPERTY VALUATION ADMINISTRATORS OFFICES (PETRIE, J) AN ACT relating to property valuation administrators' offices and making an appropriation therefor.

Amend KRS 132.020 to increase state real property tax rate by 2.6 cents per \$100 of assessed valuation; amend KRS 132.590 to require a special purpose governmental entity to pay to the PVA for use of the property assessment and create the PVA compensation fund; amend KRS 132.200 to include the receipts from unmined coal in the special purpose governmental entity fee; amend KRS 132.645 to conform; repeal KRS 132.635; APPROPRIATION.

Current Status: 3/1/2018 - (H) Referred to Committee House Appropriations and Revenue
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB556.htm>
KYR Position: OPPOSE

HB599 TAXATION (PETRIE, J) AN ACT relating to taxation and declaring an emergency.

Amend KRS 141.040 to lower the corporation income tax rate brackets effective January 1, 2019; amend various sections to conform; amend KRS 141.020 to lower the individual income tax rate brackets effective January 1, 2019, and to eliminate the personal credit for the taxpayer, spouse, and dependents; amend KRS 139.200 to increase the sales and use tax rate to eight percent effective October 1, 2018; amend various sections to conform; amend KRS 132.020 to eliminate the reduced rate on personal aircraft for property assessed; amend KRS 139.480 to sunset the exemptions for tombstones and other memorial grave markers and machinery used for recycling purposes effective July 1, 2018; amend KRS 139.531 to sunset the exemption for sales of horses less than two years of age effective July 1, 2018; amend KRS 139.538 to suspend the refundable credit until July 1, 2020, for the motion picture production industry and require reporting; create a new section in KRS Chapter 148 to suspend all applications for the film industry credit until July 1, 2020, and require reporting; amend KRS 148.8531 to suspend all applications until July 1, 2020, for tourism development projects and require reporting; amend various sections to conform; amend KRS 141.010 to change the pension income exclusion threshold and to include in adjusted gross income 50 percent of certain gains on the sale of a taxpayer's principal residence; amend KRS 141.390 to suspend until January 1, 2021, the income tax credit for recycling and composting equipment and require reporting; create a new section of KRS 171.396 to 171.397 to suspend applications until July 1, 2020, for certified rehabilitation projects and require reporting; amend KRS 243.886 to sunset the allowance for collecting and reporting certain alcohol beverage taxes effective July 1, 2018; amend KRS 140.210 to sunset the discount on certain inheritance tax payments for dates of death occurring on or after July 1, 2018; amend KRS 141.385 to suspend until January 1, 2021, the railroad maintenance tax credit and require reporting; amend KRS 141.386 to suspend until January 1, 2021, the railroad expansion tax credit and require reporting; amend KRS 143.010 and 143.025 to include transportation expense in the gross value of coal and natural resources severed or processed beginning July 1, 2018; amend various sections to conform; amend KRS 131.190 to exempt certain data provided to the Legislative Research Commission from the confidentiality standards applied to most tax return data; amend various sections to conform;

EMERGENCY

Current Status: 3/1/2018 - (H) Referred to Committee House Appropriations and Revenue
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB599.htm>
KYR Position: OPPOSE

MONITOR (39):

HB22 PUBLIC SAFETY (ST. ONGE, D) AN ACT relating to public safety.

Amend KRS 446.010 to define "unmanned aircraft system"; create a new section of KRS Chapter 500 to prescribe permitted and prohibited uses of drones; provide exceptions; prohibit use of evidence obtained by a drone in violation of stated prohibitions; authorize that section to be cited as the "Citizens' Freedom from Unwarranted Surveillance Act"; create a new section of KRS Chapter 501 to clarify criminal liability for offenses committed using a drone; create a new section of KRS Chapter 525 to create the offense of obstructing an emergency responder.

Current Status: 3/24/2018 - BECAME LAW WITHOUT GOVERNOR'S SIGNATURE
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB22.htm>

KYR Position: MONITOR

HB50 OCCUPATIONAL LICENSING REGULATIONS (NEMES, J) AN ACT relating to occupational licensing regulations.

Create new sections of KRS Chapter 12 to define terms; set forth requirements for all occupational licensing regulations established by an agency on or after November 15, 2018; require each agency to conduct a comprehensive review of all occupational licensing regulations under its jurisdiction every five years and to prepare and submit a report of its review to the Legislative Research Commission; establish a process to petition an agency to repeal or modify an occupational licensing regulation; allow a petitioner to appeal an agency's actions or inaction to Circuit Court.

Current Status: 1/19/2018 - (H) posted in committee House Licensing, Occupations, and Administrative Regulations

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB50.htm>

KYR Position: MONITOR

HB94 REAL PROPERTY TRANSFER (KEENE, D) AN ACT relating to transfer of real property on death.

Create new sections of KRS Chapter 394 to establish the Kentucky Uniform Real Property Transfer on Death Act to codify provisions for the creation, administration, modification, termination, and validity of transfer on death deeds; define terms; specify that a transfer on death deed is not an inter vivos transfer and that transfer occurs at the time of the transferors death; specify that the transferor retains the power to revoke a transfer on death deed; enumerate that a transfer on deed is nontestamentary; establish requirements for a transfer on death deed and specify the process of recording a transfer on death deed; specify that a transfer on death deed is effective without notice to or acceptance by the beneficiary during the transferors lifetime; establish provisions for the revocation of a transfer on death deed by instrument or act; enumerate the effect of a transfer on death deed during transferors life; allow a beneficiary to disclaim all or part of the beneficiarys interests; specify the impact of transfer on death deed on claims when an estate is insufficient; enumerate that a beneficiary of a transfer on death deed may disclaim the property interest in the deed; create the form for creating a transfer on death deed; create the form for revocation of a transfer on death deed; require that the provisions of KRS Chapter 394 be applied and construed so as to promote uniformity; conform to federal requirements related to electronic signatures and records; specify the applicability of KRS Chapter 394 to current law; specify that this Act may be cited as the Uniform Real Property Transfer on Death Act; amend KRS 382.110, 391.360, and 403.190 to conform.

Current Status: 1/4/2018 - (H) Referred to Committee House Judiciary

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB94.htm>

KYR Position: MONITOR

HB100 BUILDING INDUSTRY LICENSURE (BECHLER, L) AN ACT relating to building industry licensure.

Amend KRS 198B.650 to revise the definitions of "maintenance person or maintenance engineer," "major repair," and "routine maintenance of heating, ventilation, or air conditioning"; amend KRS 198B.658 to change the experience requirement from five years to two years for a master, and from four years to two years for a journeyman; amend KRS 198B.678 to permit a master HVAC contractor to

represent more than one firm if specified criteria are met; create a new section of KRS 198B.650 to 198B.689 to require the department to grant a 180-day interim period to allow a company to use the license of a deceased master HVAC contractor; amend KRS 318.054 to require the department to grant a 180-day interim period to allow a company to use the license of a deceased master plumber; amend KRS 227.480 to require the department to grant a 180-day interim period to allow a company to use the license of a deceased electrical contractor; amend KRS 227A.140 to require the department to grant a 180-day interim period to allow a business to use the license of a deceased master electrician.

Current Status: 3/23/2018 - SIGNED BY GOVERNOR
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB100.htm>
KYR Position: MONITOR

HB130 ADMINISTRATIVE REGULATIONS (UPCHURCH, K) AN ACT relating to administrative regulations.

Create a new section of KRS 13A.290 to 13A.335 to require the staff of the Administrative Regulation Review Subcommittee to submit to that committee's co-chairs an annual report on administrative regulations found deficient by a legislative committee; list the information that is necessary to complete the report; include prominent text on the first page of the report outlining potential legislative options; amend KRS 13A.290, 13A.330, and 13A.331 to allow a committee to take action on an administrative regulation within 60 days of LRC referral.

Current Status: 3/29/2018 - (S) Returned to Committee Senate State and Local Government
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB130.htm>
KYR Position: MONITOR

HB138 BOARDS OF ADJUSTMENTS (KOENIG, A) AN ACT relating to boards of adjustments.

Amend KRS 100.217, relating to planning and zoning boards of adjustment, to allow for a joint board of adjustment to be appointed, and set out its membership parameters.

Current Status: 3/29/2018 - Enrolled, Signed by President of the Senate
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB138.htm>
KYR Position: MONITOR

HB200 EXECUTIVE BRANCH BUDGET (RUDY, S) AN ACT relating to appropriations and revenue measures providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

The State/Executive Branch Budget: Detail Part I, Operating Budget; appropriate to General Government: 2017-2018: \$7,018,500, 2018-2019: \$1,704,291,300, 2019-2020: \$1,655,441,200; appropriate to the Economic Development Cabinet: 2018-2019: \$31,672,600, 2019-2020: \$32,384,800; appropriate to the Department of Education: 2018-2019: \$4,885,519,300, 2019-2020: \$4,885,920,600; appropriate to the Education and Workforce Development Cabinet: 2018-2019: \$630,653,700, 2019-2020: \$635,306,400; appropriate to the Energy and Environment Cabinet: 2018-2019: \$272,522,400, 2019-2020: \$280,337,000; appropriate to the Finance and Administration Cabinet: 2018-2019: \$932,955,700, 2019-2020: \$962,132,700; appropriate to the Health and Family Services Cabinet: 2017-

2018: \$12,064,200, 2018-2019: \$13,902,025,100, 2019-2020: \$14,153,724,700; appropriate to the Justice and Public Safety Cabinet: 2017-2018: \$22,281,300, 2018-2019: \$1,279,407,200, 2019-2020: \$1,315,928,100; appropriate to the Labor Cabinet: 2018-2019: \$221,768,700, 2019-2020: \$221,427,400; appropriate to the Personnel Cabinet: 2018-2019: \$66,174,600, 2019-2020: \$66,486,800; appropriate to Postsecondary Education: 2018-2019: \$7,834,090,600, 2019-2020: \$8,200,114,600; appropriate to the Public Protection Cabinet: 2018-2019: \$123,723,400, 2019-2020: \$122,273,100; appropriate to the Tourism, Arts and Heritage Cabinet: 2017-2018: \$8,831,600, 2018-2019: \$258,238,600, 2019-2020: \$261,409,800; appropriate to the Budget Reserve Trust Fund: 2018-2019: \$62,414,100, 2019-2020: \$183,378,000; not included in the appropriation amounts are capital project amounts as follows: 2017-2018 \$16,500,000, 2018-2019: \$2,804,425,500, 2019-2020: \$342,579,500; detail Part II, Capital Projects Budget; detail Part III, General Provisions; detail Part IV, State Salary/Compensation, Benefit, and Employment Policy; detail Part V, Funds Transfer; detail Part VI, General Fund Budget Reduction Plan; detail Part VII, General Fund Surplus Expenditure Plan; detail Part VIII, Road Fund Budget Reduction Plan; detail Part IX, Road Fund Surplus Expenditure Plan; detail Part X, Phase I Tobacco Settlement; and detail Part XI, Executive Branch Budget Summary.

Current Status: 3/22/2018 - Free Conference Committee Appointed in House Rep. Rudy CHR; Rep. Shell; Rep. Meade; Rep. Bratcher; Rep. Osborne; Rep. Carney; Rep. Tipton; Rep. Adkins; Rep. Stone; Rep. Keene
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB200.htm>
KYR Position: MONITOR

HB217 HOME INSPECTIONS (BRATCHER, K) AN ACT relating to home inspections.

Create a new section of KRS Chapter 367 to require home inspectors to be granted access to all areas of a home when conducting an inspection; provide appeal to the Board of Home Inspectors'; require the inspector to notify all realtors involved in the transaction if access is denied; impose a fine not to exceed \$500; stipulate that denial of reasonable access to a home inspector is grounds for termination of an offer to buy without recourse against the offeror.

Current Status: 1/22/2018 - (H) Referred to Committee House Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB217.htm>
KYR Position: MONITOR

HB227 NET METERING (GOOCH, J) AN ACT relating to net metering.

Amend KRS 278.465 to redefine "net metering"; amend KRS 278.466 to set the rate of compensation for an eligible customer-generator for electricity produced that flows to the retail supplier to be equal to the most recently approved rate by the Public Service Commission for the retail electric supplier to purchase electricity on an as-available basis from qualifying facilities with design capacities of 100 kilowatts or less; allow the retail electric supplier discretion to either carry forward or pay out the customer for excess generation during a billing period; create an exemption for customer-generators taking net metering service on July 15, 2018 to allow those customers to keep their current net metering contract or tariff rate calculation until they cease to take net metering service at the eligible premises or July 15, 2043, whichever comes first; specify that the exemption does not apply to lessees, successors, assigns, or subsequent owners of eligible premises.

Current Status: 3/29/2018 - floor amendment (1) filed to Committee Substitute

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB227.htm>
KYR Position: MONITOR

HB264 REORGANIZATION (CASTLEN, M) AN ACT relating to reorganization.

Amend KRS 12.020, 12.252, 224.10-020, 336.015, and 336.020 to abolish the Office of General Administration and Program Support for Shared Services and all of its divisions and abolish the Office of Inspector General for Shared Services for the Energy and Environmental Cabinet, Labor Cabinet, and Public Protection Cabinet and create new offices and divisions within each cabinet to handle the services previously handled by GAPS; confirm Executive Orders 2017-745, 2017-746, 2017-747, 2017-748, and 2017-855.

Current Status: 3/28/2018 - SIGNED BY GOVERNOR
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB264.htm>
KYR Position: MONITOR

HB287 POWERS OF APPOINTMENT (HARRIS, C) AN ACT relating to powers of appointment.

Establish KRS Chapter 390 and create new sections thereof to define various terms; specify the governing law over a power of appointment; state that common law supplements this chapter; outline the creation of a power of appointment; prohibit the transfer of a power of appointment; specify general presumptions upon a power of appointment's creation; make an exception to the general presumption about a power of appointment; define "adverse party"; allow a donor to revoke or amend a power of appointment in certain instances; state when a power of appointment may be exercised; provide that a residuary clause manifests a powerholder's intent to exercise a power of appointment; state that a blanket-exercise clause extends to a power acquired by the powerholder after executing the instrument containing the clause; require substantial compliance with a formal requirement of appointment; outline permissible appointments; provide that appointment to a deceased appointee is ineffective and appointment to an impermissible appointee is ineffective; require a powerholder's intent be carried out in cases of selective allocation; establish the procedure for disposition of property ineffectively appointed; provide for the disposition of unappointed property under released or unexercised general power; provide for the disposition of unappointed property under released or unexercised nongeneral power; provide for the disposition of unappointed property if partial appointment is to the taker in default; provide for the disposition of property appointed to the taker in default; allow a powerholder to revoke or amend an exercise; allow a powerholder to disclaim a power of appointment or contract to appoint or not appoint any property subject to the power; allow a powerholder to release a power of appointment; state the method in which a powerholder may release a power of appointment; allow a powerholder to revoke or amend a release of power; allow a powerholder of a presently exercisable power of appointment and a not presently exercisable power of appointment to contract; establish a remedy for a powerholder's breach of a contract to appoint or not to appoint appointive property; outline the rights of a powerholder's creditors in appointive property; state when appointive property is subject to a claim when the power is general; state when appointive property is subject to a claim when the power is nongeneral; require uniformity of interpretation and application with regards to other states that have enacted this Act; specify how the enactment of this Act affects existing powers of appointment; provide that KRS Chapter 390 may be known as the Kentucky Uniform Powers of Appointment Act; amend KRS 381.225 to provide that a new perpetuities period may be started when a power of appointment is exercised, if the person exercising the power so

provides; amend KRS 381.226 to exclude any interest in property created by the exercise of a special power of appointment granted by an instrument that was irrevocable on September 25, 1985, from being construed as requiring the interests to vest within the period specified in KRS 381.224, 381.225, and 381.226; repeal KRS 386.095, 394.060, and 394.070.

Current Status: 2/5/2018 - (H) posted in committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB287.htm>
KYR Position: MONITOR

HB288 PROPERTY AND TRUSTS (HARRIS, C) AN ACT relating to property and trusts.

Create a new section of Chapter 386 and provide definitions related to the creation of a community property trust; provide the requirements for the creation of a community property trust by spouses; provide what spouses may agree on and provide in writing related to community property trusts; enumerate what happens to a community property trust upon the death of a spouse; amend KRS 141.010 to provide federal tax guidelines related to community property trusts; amend KRS 386.175 to provide that a second trust may be created from an original trust whose terms have been modified pursuant to KRS 386.175; create a new section of KRS Chapter 396 to provide that certain creditor's claims are barred six months after the appointment of a personal representative after the decedent's death; amend KRS 396.011 to conform.

Current Status: 2/5/2018 - (H) posted in committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB288.htm>
KYR Position: MONITOR

HB296 HVAC LICENSURE (BECHLER, L) AN ACT relating to the licensure of heating, ventilation, and air conditioning professionals.

Amend KRS 198B.656 to delete reference to apprentice HVAC mechanic; amend KRS 198B.658 to delete the requirement for the department to issue an apprentice HVAC certificate; amend KRS 198B.674 to remove the reference to apprentice HVAC mechanics; amend KRS 198B.676 to eliminate examination fees for apprentice HVAC mechanics; amend KRS 198B.702 to delete reference to apprentice HVAC mechanics.

Current Status: 2/23/2018 - (H) posted in committee House Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB296.htm>
KYR Position: MONITOR

HB302 REORGANIZATION (BENTLEY, D) AN ACT relating to reorganization.

Amend KRS 12.020 and 12.252 to create the Professional Licensing Legal Division within the Public Protection Cabinet; create the Office of Administrative Hearings within the Public Protection Cabinet; confirm Executive Order 2017-325.

Current Status: 3/29/2018 - received in House
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB302.htm>
KYR Position: MONITOR

HB324 TRESPASS (ST. ONGE, D) AN ACT relating to trespass.

Create a new section of KRS Chapter 511, to establish the offense of trespass upon key infrastructure assets.

Current Status: 3/29/2018 - received in House
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB324.htm>
KYR Position: MONITOR

HB328 MECHANICAL SYSTEMS (JOHNSON, D) AN ACT relating to mechanical systems.

Amend KRS 198B.660 to eliminate certain requirements for HVAC license examinations; amend KRS 198B.6673 and 198B.6678 to allow an applicant for an inspector position with a local jurisdiction or the department to become certified after the applicant has been hired.

Current Status: 3/13/2018 - (S) Referred to Committee Senate Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB328.htm>
KYR Position: MONITOR

HB333 OFFICIAL DOCUMENTS (RICHARDS, J) AN ACT relating to official documents.

Create new sections of KRS Chapter 423 to define various terms; limit the applicability of the Act to notarial acts performed on or after January 1, 2019; allow a notarial officer to perform a notarial act in Kentucky; outline requirements for certain notarial acts; require a personal or online appearance before a notarial officer; specify the requirements of identifying an individual before a notarial officer; allow a notarial officer to refuse to perform a notarial act; state who may perform a notarial act in Kentucky; recognize notarial acts performed in other states; recognize notarial acts performed in federally recognized Indian tribes under federal law, and in foreign countries; allow a notary public to perform a notarial act by means of communication technology; require a notarial act to be evidenced by a certificate; provide short form certificates for use by notarial officers; outline the requirements for an official stamp of a notary public; assign responsibility of the notary public's stamping device to the notary public; require a notary public to maintain a journal chronicling all notarial acts performed by that notary public; require a notary public to register with the Secretary of State that the notary public will be performing notarial acts with respect to electronic records; outline the necessary requirements to be a notary public; outline grounds for suspending, denying, or revoking a commission as a notary public; require the Secretary of State to maintain an electronic database of notaries public; detail prohibited acts; establish the validity of notarial acts; allow the Secretary of State to promulgate administrative regulations to implement this Act; require all commissions occurring after the effective date of this Act to comply with this Act; state that a portion of this Act may be cited as the Uniform Real Property Electronic Recording Act; create a new section of KRS Chapter 382 to state that a paper copy of an electronic record shall satisfy a law requiring a tangible document; create a new section of KRS Chapter 64 to create the Kentucky Notarization and Recording Standards Commission; amend KRS 423.200 to make technical corrections; amend KRS 369.103 to allow electronic signatures on transactions relating to the conveyance of interests in real property and the creation or transfer of negotiable instruments; amend KRS 62.065 to allow a surety to cover more than one required bond; repeal KRS 423.010, 423.020, 423.030, 423.040, 423.050, 423.060, 423.070, 423.080, 423.110, 423.130,

423.140, 423.150, 423.160, 423.170, 423.180, 423.190, 423.200, and 423.990; EFFECTIVE January 1, 2019.

Current Status: 2/12/2018 - (H) Referred to Committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB333.htm>
KYR Position: MONITOR

HB369 CONTRACTS (ROWLAND, B) AN ACT relating to contracts.

Amend KRS 360.010 to specify when parties are bound to interest rate in contract and the interest rate parties are entitled to receive after default; create a new section of KRS Chapter 371 to specify that an obligation to pay or satisfy a debt is not extinguished by any action taken by a creditor for the purposes of the creditor's own financial, tax, or accounting records or affairs.

Current Status: 3/29/2018 - delivered to Governor
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB369.htm>
KYR Position: MONITOR

HB370 PROPERTY REDEVELOPMENT (MILLS, R) AN ACT relating to property redevelopment.

Amend KRS 224.1-512 to redefine "remediation" and "site"; amend KRS 224.1-514 to update the application requirements, application fee, and public notice; replace a covenant not to sue with a corrective action liability agreement; amend 224.1-516 to reduce the time for cabinet to notify applicant on the status of the application from 45 days to 30 days and update requirements for resubmittal; amend KRS 224.1-520 to specify the statutes that will be used to evaluate whether the site characterization plan is in conformity; delete detailed requirements for the corrective action plan; amend KRS 224.1-522 to include public comment period before taking action on the corrective action plan; delete the time frames associated with additional information submittals; amend KRS 224.1-524 to require notice for public comment to days after submitting corrective action plan and post signage; amend KRS 224.1-526 to delete language referring to reimbursement of costs for cabinet site investigation; change covenant not to sue to corrective action liability agreement; require the corrective action liability agreement to run with the land; amend 224.1-528 to delete cabinet withdrawal from negotiations from the list of final determinations; make conforming changes; repeal KRS 224.1-518.

Current Status: 3/21/2018 - delivered to Governor
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB370.htm>
KYR Position: MONITOR

HB378 NOTICE (PRUNTY, M) AN ACT relating to notice.

Amend KRS 383.195 to provide that in when there is no written contract, or a tenancy at will or by sufferance, the landlord may terminate the tenancy giving seven (7) days' notice.

Current Status: 2/22/2018 - (H) posted in committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB378.htm>
KYR Position: MONITOR

HB407 BONDS (MEYER, R) AN ACT relating to bonds.

Amend KRS 426.705 to clarify the interest rate on bonds on property purchased at a judicially ordered sale.

Current Status: 2/22/2018 - (H) Referred to Committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB407.htm>
KYR Position: MONITOR

HB462 REAL PROPERTY LIENS (SINNETTE, K) AN ACT relating to liens on real property.

Amend KRS 382.365 to provide specific requirements and the format of an affidavit filed by an attorney to provide evidence of a release of a lien encumbering real property with the county clerk's office.

Current Status: 2/27/2018 - (H) Referred to Committee House Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB462.htm>
KYR Position: MONITOR

HB465 REORGANIZATION (KOENIG, A) AN ACT relating to reorganization.

Establish and create various sections of KRS Chapter 308, relating to Public Protection Cabinet oversight of state occupational boards; define terms; declare policy regarding occupational licensing; list boards that are regulated under KRS Chapter 308; require the Department of Professional Licensing to provide administrative services, technical assistance, personnel staffing, and meeting space to the boards; organize the boards under seven authorities within the department; manage each authority with an executive director; establish a process for the department to review and evaluate each of its boards once every five years; set standards regarding board members, including appointments by the Governor, three year terms, quorum via majority, and voting eligibility; institute board per diem and travel expense rules; direct board officer elections, board member disqualification standards, and semiannual meeting requirements; establish general board powers; require executive director approval before a board may promulgate an administrative regulation; instruct boards to keep a register of licensees and make an annual report to the Governor and the Legislative Research Commission; fix a set timeline for processing license applications; mandate that any license issued by a board be valid for at least two years; require boards to establish disciplinary review committees to process complaints against licensees; designate the process and limitations for the Governor's appointments to boards based on recommendations from nominating groups; make license applicant criminal background checks consistent with state and federal standards; require a licensee to report criminal convictions to the licensee's board; establish continuing education requirements and exemptions; immunize board members, staff, legal counsel, and other persons from civil liability for conduct that is taken in good faith and is within the scope and arising out of the performance of their duties; direct the boards to send licensees a thirty-day notice of expiration both before and after the expiration occurs; prohibit a board from issuing an advisory opinion unless authorized by the board's enabling act; establish the Prescribing Boards Advisory Council within the department, composed of seven ex officio members with expertise in combatting prescription drug abuse; amend KRS 12.020 to add the new authorities and the Office of Inspector General to the cabinet; amend KRS 12.252 to describe the powers and duties of the cabinet's Office of Inspector General; amend various sections of KRS Chapters 198B, 216A, 309, 310, 311, 311B, 312, 313, 314, 314A, 315, 316, 317, 317A, 317B, 319, 319A, 319B, 319C, 320, 322, 322A, 323, 323A, 324, 324A, 325, 326, 327, 329A, 330, 334, 334A, and 335 to conform; amend KRS 325.230 to place the State Board of Accountancy within the Department of Financial Institutions; amend KRS 48.315 to conform, repeal KRS 216A.050, 310.080,

311.540, 311.882, 311B.060, 312.045, 312.055, 312.065, 315.171, 319A.030, 319A.040, 319A.050, 322.260, 322.270, 323.160, 323.180, 323.190, 323.200, 323A.150, 323A.180, 323A.190, 323A.200, 324.2811, 324.284, 324A.025, 324B.010, 324B.020, 324B.030, 324B.040, 324B.050, 324B.060, 334.170, 334A.100, 334A.110, 335.060, and 335.307.

Current Status: 3/21/2018 - (S) Referred to Committee Senate Licensing, Occupations, and Administrative Regulations

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB465.htm>

KYR Position: MONITOR

SUPPORT IF HFA1 AND HFA2 ARE ATTACHED TO BILL

HB494 ADULT PROTECTION (ELLIOTT, D) AN ACT relating to the protection of Kentucky's adults.

Amend KRS 381.230 to establish a simplified method for elderly or vulnerable adults to petition for an order to prevent or restrain other persons from trespassing onto the petitioner's residence; create a new section of KRS Chapter 209 to clarify abuse of an adult and establish penalties; clarify exploitation of an adult and establish penalties; clarify neglect of an adult and establish penalties; amend KRS 209.990 to delete existing penalties for abuse, exploitation, and neglect; amend KRS 209.020 to define terms; create a new section of KRS Chapter 209 to create a rebuttable presumption that transfers of real or personal property made by protected adults and not supported by adequate consideration were made under undue influence.

Current Status: 3/5/2018 - (H) posted in committee House Judiciary

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB494.htm>

KYR Position: MONITOR

HB569 SALES AND USE TAX (SINNETTE, K) AN ACT relating to sales and use tax.

Amend KRS 139.200 to increase the sales tax rate to seven percent effective October 1, 2018; amend KRS 139.310 to increase the use tax rate to seven percent effective October 1, 2018, amend KRS 139.470 to eliminate exemptions for sales made through vending machines, sales to state and local government agencies, sales of residential sewer services, sales of water and fuel for residential uses, sales to out-of-state state agencies, organizations or institutions exempt from sales and use tax in its state of residence, sales of industrial supplies and industrial tools used in manufacturing or industrial processing, the Kentucky River Authority water use fee, sales of water used in raising equine, amounts received from a tobacco buydown, sales of semi-trailers and trailers, and the first \$50,000 in sales of admissions to county fairs; amend KRS 139.471 to provide that certain contracts and lease or rental agreements entered into on or before the effective date of this Act shall be excluded from the rate increases; amend KRS 139.472 to eliminate exemptions for colostomy, urostomy, or ileostomy supplies, prosthetic devices, mobility enhancing equipment, and durable medical equipment; amend KRS 139.531 to eliminate exemption for breeding stock and horses less than two years of age; amend KRS 139.010, 132.200, 138.358, 139.340, 139.778, 139.990, 143A.030, 148.546, 154.12-223, 154.27-070, 154.27-100, 154.27-110, 154.27-120, and 154.27-130 to conform; repeal KRS 139.480, 139.482, 139.483, 139.484, 139.495, 139.496, 139.497, 139.505, 139.518, 139.533, 139.534, 139.537, and 139.538; EFFECTIVE October 1, 2018.

Current Status: 3/1/2018 - (H) Referred to Committee House Appropriations and Revenue

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB569.htm>

KYR Position:

MONITOR

HB585 TAX EXPENDITURES (COUCH, T) AN ACT relating to tax expenditures and declaring an emergency.

Amend KRS 243.720 eliminate the reduced rate on low-volume distilled spirits and malt beverages; amend KRS 243.884 to equalize the tax rate among all alcoholic beverage taxes and impose the tax on sales made by a small farm winery or wholesaler of wine produced by a small farm winery; amend KRS 171.396 to lower the certified rehabilitation credit cap to \$4 million; amend KRS 141.010 to sunset the domestic production activities deduction, to impose income tax on 50% of any dividend income classified as a patronage dividend, to include in net income any dividends-paid deduction of a real estate investment trust, and define the term "credit union"; amend KRS 141.040 to impose income tax on credit unions at reduced income tax rate bracket levels; amend KRS 243.720 to conform; amend KRS 141.422 to reduce the annual biodiesel and renewable diesel tax credit cap to \$5 million, the annual cellulosic ethanol tax credit cap to \$2.5 million, and the annual ethanol tax credit cap to \$2.5 million; amend KRS 141.423 to reduce the amount certified as a tax credit to 50 cents per gallon of biodiesel produced; amend KRS 141.4242 to reduce the amount certified as a tax credit to 50 cents per gallon of ethanol produced; amend KRS 141.4244 to reduce the amount certified as a tax credit to 50 cents per gallon of cellulosic ethanol produced; amend KRS 141.389 to sunset the distilled spirits tax credit; amend KRS 154.32-070 to provide that 100% of the tax liability may be offset with the tax credit if the economic development project is within an enhanced incentive county, and 75% of the tax liability may be offset by the tax credit if the economic development project is outside an enhanced incentive county; amend KRS 141.385 and 141.386 to sunset the tax credits; amend KRS 141.390 to allow 40% of the installed cost of recycling equipment to qualify for the tax credit; amend KRS 138.270 to set the allowance for collecting and reporting the tax at 2%; amend KRS 141.0401 to apply the tax to personal service corporations; amend KRS 141.206 to conform; amend KRS 132.020 to set the state property tax rate for real property at 12.7 cents upon each \$100 of assessed value, to increase the 4% ceiling on revenues to 5%, and to increase the rates for certain tangible personal property; amend KRS 139.010 to include the amount charged for labor or services rendered in installing or applying the tangible personal property sold; amend KRS 139.470 to include in gross receipts the sale of a semi-trailer and trailer; amend KRS 139.480 to include, within the definition of retail sale, locomotives or rolling stock, certain agricultural items, property certified as a pollution control facility, and aircraft, repair and replacement parts therefor, and supplies; amend KRS 139.531 to include the sale of certain horses; amend various sections to conform; repeal KRS 139.483; EMERGENCY.

Current Status: 3/1/2018 - (H) Referred to Committee House Appropriations and Revenue

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB585.htm>

KYR Position: MONITOR

HB589 AFFORDABLE HOUSING (ROTHENBURGER, R) AN ACT relating to affordable housing for veterans and senior citizens.

Create a new section of KRS Chapter 198A to establish the Kentucky affordable housing credit, which applies to the income and insurance taxes, in an amount related to the amount of federal low-income housing tax credit; limit the total amount of all credits awarded during any year to the greater of 50 percent of the federal low-income housing tax credits awarded on qualified projects or \$3,500,000;

create a new section of KRS Chapter 141 to allow the income tax credit; amend KRS 141.0205 to order the income tax credit; create a new section of KRS Chapter 136 to order the insurance tax credits; amend various statutes to conform.

Current Status: 3/1/2018 - (H) Referred to Committee House Appropriations and Revenue

State Bill Page: <http://www.lrc.ky.gov/record/18RS/HB589.htm>

KYR Position: MONITOR

SB1 RETIREMENT (BOWEN, J) AN ACT relating to retirement.

Amend KRS 6.505 to provide that the "inviolable contract" provisions shall not apply to legislative changes to Legislators' Retirement Plan (LRP) that become effective on or after July 1, 2018; make technical changes; amend KRS 6.520 to reduce the benefit factor of LRP members who began participating prior to 1/1/2014 to 1.97%; amend KRS 6.525 to recalculate current and future LRP retiree benefits effective 1/1/2019 so that the benefit from LRP is based solely upon salary earned as a legislator; amend KRS 6.518 to conform; amend KRS 21.360 to provide that the "inviolable contract" provisions shall not apply to legislative changes to the Judicial Retirement Plan (JRP) that become effective on or after July 1, 2018; make technical changes; amend KRS 21.374 to remove provisions relative to the election to participate in the cash balance plan by existing members and amend to provide that LRP and JRP members may elect to cease participating in LRP or JRP and participate prospectively in KERS in the new optional 401(a) money purchase plan for any future service as a legislator, judge, or justice; amend KRS 21.402 to change the interest credit in the JRP/LRP cash balance plans to 85% of the 5-year smoothed return above 0% if the member is contributing to a state-administered retirement system or plan and 0% if the person is not contributing to a state-administered retirement system or plan; amend KRS 21.460 to prohibit the purchase of recontributions of refunds to LRP/JRP by members who are participating in the 401(a) money purchase plan provided by this Act; amend KRS 21.480 to provide that the "inviolable contract" provisions shall not apply to legislative changes to JRP that become effective on or after July 1, 2018; make technical changes; amend KRS 21.372 and 21.385 to make technical/conforming amendments to JRP/LRP statutes; create a new section of KRS 61.510 to 61.705 to establish an optional 401(a) money purchase plan for new nonhazardous members who begin participating in the Kentucky Employees Retirement System (KERS) and County Employees Retirement System (CERS) on or after January 1, 2019, who elect to participate in the plan; provide that the optional money purchase plan shall be a mandatory defined contribution plan that will operate as another benefit tier in KERS/CERS and will include a 4% employer contribution; provide that the investment options for members of the money purchase plan shall be determined by the KRS board and may include options for investing in system assets, investment options provided by an external vendor selected by the KRS board, or investment options provided through an agreement with the Kentucky Public Employees Deferred Compensation Authority (KDC); provide for a 5-year vesting period for employer contributions in the 401(a) money purchase plan; provide that a member can retire and take a refund or his or her account or annuitize his or her account balance in the 401(a) money purchase plan into one of the payment options provided by the system upon reaching age 65 with 5 years' service or upon meeting a combined age and service requirement of 87 years with a minimum age of 57; amend KRS 16.505, 61.510, and 78.510 relative to SPRS, KERS, and CERS to exclude uniform and equipment allowances from the definition of creditable compensation, require that a final compensation based upon the highest 3 (hazardous) or highest 5 (nonhazardous) years of creditable compensation must contain at least 36 or 60 months, as applicable, for those members retiring on or after January 1, 2019; for Tier I nonhazardous KERS and CERS members retiring on or after July 1, 2023,

prohibit lump-sum payments for compensatory time at retirement from increasing retirement benefit calculations; define "nonhazardous position" and "accumulated employer contribution" and make technical and conforming changes; amend KRS 61.546 and 78.616 to provide that members of KERS/CERS/SPRS who retire on or after August 1, 2018, shall not receive sick leave service credit for more than the sick leave they have accumulated as of July 31, 2018, and shall not be eligible to use sick leave service credit for purposes of determining retirement eligibility; provide that no additional KERS/CERS agencies may elect to adopt a sick leave program on or after August 1, 2018; amend KRS 61.565 to define normal cost for purposes of funding for KERS, CERS, SPRS, LRP, and JRP; provide that costs for the optional 401(a) money purchase plan shall be included in the normal cost calculation; provide that for the 2019 actuarial valuation the unfunded liabilities shall be financed using a level dollar amortization method and that unfunded liability payments shall be prorated to each employer based upon the employer's average share of payroll over fiscal years 2015, 2016, and 2017, except for those employers who have ceased participation; provide that employer funding requirements shall be determined using the entry age normal cost method, a 5-year asset smoothing method, and assumptions adopted by the KRS board; provide that KERS and SPRS rates shall be adjusted annually rather than on a biennial basis in the 2020-2022 budget biennium; amend KRS 61.597 to change the interest credit for KERS/CERS nonhazardous members in the cash balance plan to 85% of the 10-year smoothed return above 0% if the member is contributing to a state-administered retirement system or plan and 0% if the person is not contributing to a state-administered retirement system or plan; amend KRS 16.601 to provide that in the event of a line-of-duty death of a KERS, CERS, or SPRS hazardous member, the spouse shall supersede the beneficiary designation on file; amend KRS 61.552 to provide that members who begin participating in the optional 401(a) money purchase plan shall not be eligible to purchase service credit and to make conforming amendments; provide severability clause.

Current Status: 3/9/2018 - (S) recommitted to committee Senate State and Local Government

State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB1.htm>

KYR Position: MONITOR

SB2 CONSTITUTIONAL AMENDMENT (ALVARADO, R) AN ACT proposing an amendment to section 54 of the Constitution of Kentucky.

Propose amendment to Section 54 of the Constitution of Kentucky to allow the General Assembly the power to limit damages for injuries resulting in death or for injuries to persons or property, and to provide a uniform statute of limitations; provide for submission to the voters.

Current Status: 3/9/2018 - (S) recommitted to committee Senate State and Local Government

State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB2.htm>

KYR Position: MONITOR

SB4 CONSTITUTIONAL AMENDMENT (MCDANIEL, C) AN ACT proposing to amend Section 95 of the Constitution of Kentucky relating to the election of state officers.

Propose to amend Section 95 of the Constitution of Kentucky to hold the election of the Governor, Lieutenant Governor, Treasurer, Auditor of Public Accounts, Attorney General, Secretary of State and Commissioner of Agriculture, Labor and Statistics in even-numbered years, every four years, beginning

in 2024; provide transitional calendar; submit to the voters for ratification or rejection. Provide ballot language.

Current Status: 3/27/2018 - (H) SECOND READING, to Rules
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB4.htm>
KYR Position: MONITOR

SB78 ELECTRICIANS (WESTERFIELD, W) AN ACT relating to electricians.

Amend KRS 227A.060 to require the Department of Housing, Buildings and Construction to administer its electrician licensing examination; allow an applicant to sit for the electrician licensing examination if the applicant has four years of experience or two years of experience plus an acceptable training course in electrical work; create a nonrenewable two-year provisional electrician license; require an applicant for a provisional license to have at least six years of verifiable experience since age 16; establish how a provisional license holder may become a licensed electrician; allow a former provisional license holder to apply for regular licensure as an electrician.

Current Status: 3/22/2018 - floor amendment (3) filed to Committee Substitute, floor amendment (4) filed to Bill
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB78.htm>
KYR Position: MONITOR

SB85 NOTARIES PUBLIC (WESTERFIELD, W) AN ACT relating to notaries public.

Create a new section of KRS Chapter 423 to provide that the Secretary of State shall issue a new certificate reflecting a notary's change of name upon receipt of an application and proper documentation.

Current Status: 3/15/2018 - floor amendment (2) filed
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB85.htm>
KYR Position: MONITOR

SB135 OFFICIAL DOCUMENTS (SCHRODER, W) AN ACT relating to official documents.

Create new sections of KRS Chapter 423 to define various terms; limit the applicability of the Act to notarial acts performed on or after August 1, 2019; allow a notarial officer to perform a notarial act in Kentucky; outline requirements for certain notarial acts; require a personal or online appearance before a notarial officer; specify the requirements of identifying an individual before a notarial officer; allow a notarial officer to refuse to perform a notarial act; state who may perform a notarial act in Kentucky; recognize notarial acts performed in other states; recognize notarial acts performed in federally recognized Indian tribes under federal law, and in foreign countries; allow a notary public to perform a notarial act by means of communication technology; require a notarial act to be evidenced by a certificate; provide short form certificates for use by notarial officers; outline the requirements for an official stamp of a notary public; assign responsibility of the notary public's stamping device to the notary public; require a notary public to maintain a journal chronicling all notarial acts performed by that notary public; require a notary public to register with the Secretary of State that the notary public will be performing notarial acts with respect to electronic records; outline the necessary requirements to be a notary public; outline grounds for suspending, denying, or revoking a commission as a notary

public; require the Secretary of State to maintain an electronic database of notaries public; detail prohibited acts; establish the validity of notarial acts; allow the Secretary of State to promulgate administrative regulations to implement this Act; require all commissions occurring after the effective date of this Act to comply with this Act; state that a portion of this Act may be cited as the Uniform Real Property Electronic Recording Act; create a new section of KRS Chapter 382 to state that a paper copy of an electronic record shall satisfy a law requiring a tangible document; create a new section of KRS Chapter 64 to create the Kentucky Notarization and Recording Standards Commission; amend KRS 423.200 to make technical corrections; amend KRS 369.103 to allow electronic signatures on transactions relating to the conveyance of interests in real property and the creation or transfer of negotiable instruments; amend KRS 62.065 to allow a surety to cover more than one required bond; repeal KRS 423.010, 423.020, 423.030, 423.040, 423.050, 423.060, 423.070, 423.080, and 423.990; EFFECTIVE August 1, 2019.

Current Status: 2/8/2018 - (S) Referred to Committee Senate State and Local Government

State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB135.htm>

KYR Position: MONITOR

SB151 WASTE WATER SERVICES (BOWEN, J) AN ACT relating to the local provision of waste water services.

Amend KRS 65.240, relating to interlocal agreements, KRS 74.407, relating to water districts, KRS 76.080, relating to metropolitan sewer districts, KRS 76.231, relating to joint sewer agencies, KRS 76.325, relating to sewer construction districts, and create a new section of KRS 220.010 to 220.540, relating to sanitation districts, to allow each agency or entity to contract with other entities to acquire wastewater facilities in connection with the acquisition, construction, operation, repair, or maintenance when the entity's facilities are outside of that particular agency's jurisdictional boundaries.

Current Status: 3/29/2018 - delivered to Governor

State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB151.htm>

KYR Position: MONITOR

SB176 PLANNING AND ZONING IN CONSOLIDATED LOCAL GOVERNMENTS (MCGARVEY, M) AN ACT relating to planning and zoning in consolidated local governments.

Amend KRS 100.137 to clarify powers of certain cities within a consolidated local government in regards to home rule powers and planning and zoning.

Current Status: 2/21/2018 - (S) Referred to Committee Senate State and Local Government

State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB176.htm>

KYR Position: MONITOR

SB196 UNIFORM COMMERCIAL REAL ESTATE RECEIVERSHIP ACT (WESTERFIELD, W) AN ACT relating to the Uniform Commercial Real Estate Receivership Act.

Create KRS Chapter 382A and various sections thereof to enact the Uniform Commercial Real Estate Receivership Act.

Current Status: 2/23/2018 - (S) Referred to Committee Senate Judiciary
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB196.htm>
KYR Position: MONITOR

SB207 BUILDING CODE VIOLATIONS (MEREDITH, S) AN ACT relating to causes of actions for building code violations.

Amend KRS 198B.130 to allow a court award under KRS Chapter 198B or the Uniform Building Code to include attorney's fees if a certificate of occupancy has not been issued.

Current Status: 2/27/2018 - (S) Referred to Committee Senate Licensing, Occupations, and Administrative Regulations
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB207.htm>
KYR Position: MONITOR

SB233 BOARDS AND COMMISSIONS (STIVERS, R) AN ACT relating to boards and commissions.

Amend KRS 12.070 to provide the Governor authority to appoint members to boards and commissions when entities charged with submitting a list of names fail to submit the list.

Current Status: 3/29/2018 - House State Government, (Bill Scheduled for Hearing)
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB233.htm>
KYR Position: MONITOR

SB252 RADON GAS (ADAMS, J) AN ACT relating to radon gas.

Amend KRS 211.9119 to make a technical correction.

Current Status: 3/29/2018 - floor amendment (1) filed
State Bill Page: <http://www.lrc.ky.gov/record/18RS/SB252.htm>
KYR Position: MONITOR