

2021 General Assembly Regular Session Bills We're Watching: The First Edition

This list profiles the environmental, conservation, consumer and general government bills that the Kentucky Resources Council is supporting, opposing, and tracking during the 2021 General Assembly Regular Session. This year is a “short” session, and began on January 5, 2020, and on January 13, is scheduled to recess until February 2, when the session will reconvene with a scheduled adjournment of March 30. Beginning March 17 there is a “veto break” and they will reconvene on March 29 and 30th for two final days.

Feel free to forward this to anyone you feel might be interested, and to utilize, reprint or quote from the bill analyses. We ask only that you attribute KRC as the source when you use our analytical material (so we can take all the blame for anything we've gotten wrong!)

DO YOU KNOW SOMEONE WHO WANTS TO RECEIVE THESE NOTICES OF THE POSTING OF THESE UPDATES?

Send this to a friend and tell them to write us at Fitz@kyrc.org if they want to receive notice when these postings are updated. The legislative update will be refreshed each Friday afternoon.

WANT TO READ THE BILLS OR CONTACT LEGISLATORS?

For a copy of any bill, visit the Legislature's 2021 Session page at <https://apps.legislature.ky.gov/record/21rs/record.html>.

To find your legislators email, go to <https://apps.legislature.ky.gov/findyourlegislator/findyourlegislator.html>

The toll-free message line is 1-800-372-7181, to leave a message for a legislator or an entire committee. En Espanol, el nombre es 1-866-840-6574. The toll-free bill status number is 1-866-840-2835.

Please note that the Council *does not* have a position on each bill listed. Some bills are tracked for general interest; others simply to assure that they do not become vehicles for mischievous amendments.

We have formatted this update to highlight in the first section, those bills on which KRC has taken a position. Where KRC has taken a position concerning a bill it is indicated with a plus (+) or minus (-). The primary sponsor and current status of the bill are also noted by Committee or chamber. If there is no indication of assignment to a committee, the bill has not yet been assigned and remains in the Committee on Committees, where introduced bills and resolutions are initially sent.

Here's the key to understanding where a bill is in the process:

H. State Govt = House State Government Committee

H. Ed = House Education Committee

H. Tourism = House Tourism and Outdoor Recreation Committee

H. Elections= House Elections, Constitutional Amendments and Intergovernmental Affairs Committee

H. Veterans= House Veterans, Military Affairs and Public Protection Committee

H. Judiciary = House Judiciary Committee

H. A&R = House Appropriations and Revenue Committee

H. Eco Dev = House Economic Development & Workforce Investment Committee

H. Ag = House Agriculture

H. Sm Bus = House Small Business and Information Technology Committee

H. Local Govt = House Local Government Committee

H. Transp = House Transportation Committee

H. H&FS = House Health and Family Services Committee

H. L&O = House Licensing, Occupations And Adm. Regulations Committee

H. Nat Res Energy = House Natural Resources and Energy Committee

H. B&I = House Banking and Insurance Committee

H. Rules = House Rules Committee

S. State Local Govt = Senate State and Local Government Committee

S. NR Energy = Senate Natural Resources and Energy Committee

S. Ag = Senate Agriculture Committee

S. Judiciary = Senate Judiciary Committee

S. Eco Dev = Senate Economic Development, Tourism and Labor Committee

S. Ed = Senate Education Committee

S. H&W = Senate Health and Welfare Committee

S. L&O = Senate Licensing and Occupations Committee

S. Veterans = Senate Veterans, Military Affairs, and Public Protection Committee

S. B&I = Senate Banking and Insurance Committee

S. Transp = Senate Transportation

S. Rules = Senate Rules Committee

S. A&R = Senate Appropriations and Revenue Committee

BILLS AND RESOLUTIONS FOR WHICH KRC HAS TAKEN A POSITION

House Bills

HB 1 (Rowland and others)(To Governor)(-)

HB 1 attempts to provide a path for reopening businesses and schools by requiring that they adopt a plan consistent with CDC guidelines, but lacks the detail and accountability necessary to assure that such plans are consistent with the guidelines and are sufficient to protect the public. The bill creates a risk that the public will be placed at greater risk, and that businesses may be placed at significant financial liability, because the bill lacks any language directing how such plans are to be developed, and lacks any review by any agency of the sufficiency of such plans.

The CDC guidelines provide recommendations but are not cookie-cutter bright line standards. Rather, the guidelines are intended to supplement, rather than

replace, local and state standards, and require consultation with local and state health officials to develop local strategies and may change depending on local conditions. Requiring a “reopening” plan, but having no review or approval of the plan as being sufficient, and allowing trade associations and chambers of commerce to develop such plans for businesses, does not provide adequate assurance that the plans will be protective, or will maintain consistency as CDC guidelines evolve and change.

Also, there is a fundamental constitutional problem with the General Assembly delegating to a federal agency’s guidelines, since that open ended deferral to those guidelines violates the non-delegation doctrine.

HB 3 (Massey) (S. Judiciary) (-)

Would create a new judicial process for hearing constitutional cases, removing those cases from the Franklin Circuit Court and placing it in a 3-judge panel. The bill likely violates several provisions of the Kentucky Constitution, including Sections 59, 112, 110(2)(a), 110(5)(b) and 116. See KRC’s testimony to Senate Judiciary on the bill.

HB 4 (Osborne and others) (S. State Local Govt)(+/-)

Proposed constitutional amendment would eliminate the existing dates by which the General Assembly must adjourn in any regular session; provide that the General Assembly may extend the length of its legislative sessions by 10 days upon the vote of 3/5 of the membership of each House, with no session to extend beyond December 31. KRC believes that while there is some merit to the idea of allowing the legislature to meet at set times throughout the year rather than in the current 30 or 60-calendar day session, further extension of legislative sessions is unnecessary and that allowing the legislative branch to meet at will and random throughout the year for up to 40 days in short sessions and 70 in long sessions could adversely affect the ability of many who could serve in a part-time legislature during a compact and defined period of time, from serving in future years.

HB 6 (Bechler and others)(H. Rules)(-)

Would amend KRS 6.900 to change the name of the Legislative Program Review and Investigations Committee to the Legislative Oversight and Investigations Committee and to expand the powers of the committee to include investigation of private individuals and entities “doing business” with governmental agencies or state employees. “Doing business” is not defined in the bill. KRC has written to the sponsor to suggest that “doing business” be defined in a manner so as not to chill protected speech that is not regarding financial matters.

HB 10 (Sheldon and others)(To Senate)

Would provide a defense to civil liability to a person who acts in good faith while operating a business during a state of emergency for ordinary negligence for a personal injury resulting from alleged or actual exposure to COVID-19 provided the person acts as an ordinary, reasonable, and prudent person would act under similar circumstances; and would provide that a public school official's decision to open or close a school is discretionary for purposes of determining qualified immunity.

The bill has significant problems, both in terms of constitutionality of attempting to alter standards for actions alleging negligence (though the bill fails to provide that protection while purporting to do so) and in referencing the CDC guidelines as determining what is the appropriate standard of care. Those guidelines are not hard and fast, but instead are to be modified at the local level in consultation with state and local health officials and current conditions. Coupled with House Bill 10, which purports to allow businesses and schools to reopen if they have a plan meeting CDC guidelines, but requires no review or approval of those plans, KRC is concerned both that the public will be placed at greater risk as businesses reopen, and that small businesses that think they are protected from liability because they have adopted a plan, may not be since the plans will neither be reviewed nor approved.

HB 47 (Bentley)(-)

Would allow expansion of a one-acre off-site construction and demolition debris landfill to be doubled in size provided it meets the permitting requirements for the initial landfill. The current distinction between one acre and greater-than-one-acre CD&D landfills is arbitrary, with the smaller landfills allowed to be operated without the sort of protections such as leachate collection systems and surface and groundwater monitoring, that are required for larger landfills disposing of the same types of waste. Expanding this arbitrary distinction allows undermanagement of CD&D wastes in two-acre sites rather than the current one-acre sites.

HB 107 (Raymond)(+)

Proposed constitutional amendment would recognize a right of the people to have a clean and healthy environment with the preservation of the natural, scenic and cultural values of the environment, and for the Commonwealth to serve as the trustee for the conservation and maintenance of the environment and its natural resources for the benefit of all people.

HB 127 (Hatton and Raymond)(+)

Would require the Public Service Commission to consider rate affordability when determining fair, just and reasonable utility rates, allow the Public Service Commission to review the affordability of a utility's rate if the utility has not requested a rate adjustment in five years; and allow the commission to order a rate increase to prevent significant increases in a single period; require fair, just and reasonable rates to balance the interests of the utility, its investors, and the ratepayer.

HB 129 (Hatton)(+)

Would require net neutrality for any public or private Internet service providers using KentuckyWired network.

HB 132 (Kulkarni)(+)

Would establish procedures for dismissing legal actions filed in response to a party's exercise of free speech, right to petition, or right to association; allow for an immediate appeal as a matter of right; allow for costs to be awarded to moving party if dismissal is granted; and allow for costs to be awarded to responding party if the motion was found to be frivolous or filed with the intent to delay.

HB 137 (Hatton)(+)

Bill links mine licensing for coal mines with miner wage performance bonding requirements.

HB 142 (Bridges and Banta)(+)

Would establish the nonrefundable Kentucky affordable housing credit for taxable years or periods beginning on or after January 1, 2024, for a period of five years; allow the credit to be applied to the income and insurance taxes.

HB 144 (Fischer)(-)

Would require legislative ratification of any administrative regulation having a major economic impact and require that administrative regulations analyze costs for both governmental agencies and regulated entities; and prohibit the Governor or executive agency from issuing an emergency administrative regulation and to terminate all existing emergency regulations.

Selective consideration of economic impacts without consideration of benefits skews the analysis of regulations. Additionally, some 99% of state regulations are adopted in response to federal regulations that we adopt in order to maintain delegated program, so that the bill is duplicative of economic analyses that have already been conducted at the federal law, and provides no information that would inform a decision to adopt the regulation or not.

HB 159 (Hart)(-)

Would allow local government entities and special districts to void implementation of the water fluoridation programs administered by the Cabinet for Health and Family Services by legislative action. Fluoridation is recognized as among the most effective public health initiatives.

HB 198 (Branscum)(+)

Would extend the deadline for registering underground petroleum storage tanks from 2021 to 2025.

HB 207 (Gooch)(-)

Is intended to preclude local governments from enacting ordinances to limit or prohibit new construction using natural gas for heating and electrification, by prohibiting local ordinances that restrict or limit access to regulate utility services.

Many local governments across the country have used these strategies to help achieve greenhouse gas reduction goals.

HB 236 (McPherson and Heath)(+)

Comprehensive reform repeals and reenacts pesticide and fertilizer statutes, in an attempt to standardize regulation and licensing of pesticide companies and applicators.

In the 2020 session, the bill repealed the current statutes establishing the lawn care application notice program, with an intent to recodify those statutes into regulation. KRC expressed concern that removing those laws might be construed as the legislature expressing an intent to eliminate the notification requirements entirely. KRC drafted a floor amendment to specifically authorize and require the Department of Agriculture to develop a program for regulation and notification of

lawn care application and mosquito control. HB 236 incorporates that language and directs the Department to develop a regulatory program for regulating notification and application of pesticides for lawn care and mosquito control.

KRC appreciates the Department of Agriculture for including that language.

House Resolutions

HJR 11 (Osborne)(+)

Joint resolution would direct the Energy and Environment Cabinet to study the economic impact and feasibility of adopting an electronic waste disposal program in Kentucky.

HJR 27 (Lockett and others)(-)

Joint resolution to apply to Congress under Article V of the Constitution of the United States for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that limit the terms of office for its officials and for members of Congress. Constitutional scholars have observed that such a constitutional convention cannot be so limited.

Senate Bills

SB 17 (Alvarado)(-)

Proposed state constitutional amendment would allow the General Assembly the power to limit noneconomic damages for injuries resulting in death or for injuries to persons or property, and the power to provide statutes of limitation.

The right to redress for injury is among the bedrock rights in Kentucky's constitution, and cannot and should not be infringed upon by constitutional amendments seeking to limit the recovery of pain and suffering and for punitive damages. Access to the courts for redress of injuries is a legitimate tool for

redress of environmental and workplace safety and health-related injuries, and for deterrence from future negligence and gross negligence.

SB 22 (McDaniel)(+)

Would require the Department for Facilities and Support Services within the Finance and Administration Cabinet to relocate the Jefferson Davis statue from the Capitol Rotunda to either the Thomas D. Clark Center for Kentucky History or the Jefferson Davis Historic Site; and require the Department for Facilities and Support Services to place a statue of United States Navy diver and Kentucky native Carl Brashear in the Capitol Rotunda.

SB 33 (Carroll)(+)

Would provide civil immunity for damaging a vehicle if a person enters the vehicle with the reasonable, good-faith belief that a dog or cat is in immediate danger of death if not removed.

SB 34 (Carroll)(+)

Would define as criminal littering, permitting unsafe amounts of mowed grass to remain on a highway.

SB 58 (Harper Angel)(+)

Would prohibit the intentional release of more than 25 plastic balloons; establish a ban on plastic, single-use carryout bags by July 1, 2026; establish a ban the provision of single-use plastic straws and Styrofoam food and beverage containers by retail food and beverage establishments by July 1, 2024.

SB 66 (Wheeler)(+)

Would designate 100 percent of a new open dumping fine to be paid to the county where the violation occurred; expressly include littering and open

dumping as crimes subject to enforcement by code enforcement; allow local governments to impose a civil fine between \$250 and \$500 for open dumping and prescribe funds to be used for abatement, cleanup and restoration of the illegal dump site; and direct penalties from littering to counties where the offense occurred.

Senate Resolutions

BILLS AND RESOLUTIONS FOR WHICH KRC HAS TAKEN NO POSITION

House Bills

HB 13 (Bechler)

Would limit the governor's emergency orders to 28 days unless approved by the General Assembly; and limit the local chief executive's emergency orders to 28 days unless approved by the local government legislative body.

HB 15 (Maddox and others)

Another COVID-19 bill would define "emergency order", set parameters for the issuance of an emergency order, and provide for legal action to enforce the parameters, and require legislative approval to extend a state or local government emergency order beyond 14 days. Would also prohibit the suspension of any laws, and specify that no governmental entity may prohibit or severely limit in-person worship, and curtail actions taken by the Cabinet for Health and Family Services in the event of infectious or contagious disease to 21 days unless extended or changed by the General Assembly.

HB 21 (Scott and others)

Would eliminate no-knock search warrants, require officers to activate body-worn cameras when serving a warrant; and expand scope of permissible suits

against state and local governments and limit defenses. Bill would be known as "Breonna's Law."

HB 22 (Raymond and Westrom)

Would include "personal use services," including childcare and elder care, as an allowable campaign expenditure.

HB 23 (Wheatley and Scott)

Would create an Advisory Redistricting Commission to draft redistricting plans for legislative and congressional districts and require the General Assembly to consider the commission's plans; allow the General Assembly to enact or reject the plans of the commission by a date certain or to return to the commission for adjustment.

HB 26 (Thomas and numerous others)

Would include violence against an animal when used as coercive conduct in the definition of "domestic violence and abuse" and allow a judge to award possession of a shared domestic animal to the petitioner.

HB 29 (Banta)

Proposed constitutional amendment establishing term limits for Senators to four terms of office, and members of the House of Representatives to six terms of office.

HB 30 (Dossett)

Would allow landlords or their agents to prosecute forcible detainer actions without a lawyer.

HB 32 (Stevenson and others)

Would require employers to provide earned paid sick leave.

HB 33 (Raymond and others)

Would require employers of more than 50 persons to provide 12 weeks of paid parental leave to employees of over 1 year.

HB 34 (Jenkins and others)

Would raise the state minimum wage for hourly and tipped employees, and allow local governments to establish minimum wage ordinances in excess of the state minimum wage.

HB 35 (Roberts and others)

Would make it a discriminatory employment action if an employer asks questions about previous salary or wages, relies on previous salary when setting a new salary, or refuses to hire if an applicant does not provide previous salary.

HB 36 (Maddox and others)

Would prohibit required immunization of any person by any state agency or instrumentality. Current law allows parents to opt children out of immunizations on religious grounds and if immunization would threaten the child's health. This bill recklessly interferes with the ability of school systems to require immunization in order to protect the health and safety of all school-age children attending public schools under the misguided banner of "bodily autonomy and informed consent."

HB 40 (Donohue and others)

Would require any employer doing business in Kentucky that receives governmental incentives or subsidies to pay its employees a living wage.

HB 41 (Donohue and others)

Would eliminate restriction on the rights of public employees to organize, associate collectively, or strike; allow urban county and consolidated local governments and other public employers to make an agreement with a labor organization to require as a condition of employment membership therein.

HB 42 (Raymond and Stevenson)

Would allow employees of the Commonwealth of Kentucky a paid leave of absence of 12 weeks for the birth or adoption of a child.

HB 43 (Scott and others)

Would amend prohibited discriminatory workplace practices to include hairstyle and other traits historically associated with race.

HB 45 (Roberts and others)

Would prohibit employers from discharging or retaliating against an employee who is a crime victim when the employee takes leave to attend proceedings associated with a crime.

HB 46 (Bridges)

Would establish safety standards for residential swimming pools.

HB 54 (Nemes and Raymond)

Would allow employees of the Commonwealth of Kentucky a paid leave of absence of 12 weeks for the birth or adoption of a child.

HB 55 (Gentry and others)

Would recreate a prevailing wage law for all public works projects.

HB 56 (Wheatley)

Would amend law to allow employees of the Commonwealth of Kentucky to collectively bargain.

HB 57 (Freeland and others)

Would amend current law to add specific acts to definition of torture of a cat or dog and make all violations a Class D felony unless there is no intent to cause, increase, or prolong the pain and suffering of the dog or cat.

HB 66 (Raymond)

Would amend existing law to add protections against discrimination based on weight.

HB 67 (Raymond)

Would make "necessary childcare expenses" an allowable campaign expenditure.

HB 70 (Burch and Raymond)

Would grant authority to District Court to issue search warrants to law enforcement officers to seize firearms without a warrant from persons believed to be dangerous due to untreated mental illness or documented evidence of a propensity for violence.

HB 71 (Wheatley and Roberts)

Would remove straight-party voting as a ballot option in a regular election.

HB 72 (Roberts and others)

Would provide convenience of the voter as a basis for absentee voting.

HB 78 (Kulkarni and Raymond)

Would prohibit disqualification from benefits for workers unemployed as a result of domestic violence and abuse, dating violence and abuse, sexual assault, or stalking.

HB 80 (Brown)

Would make it a crime to unlawfully store a firearm so as to recklessly allow access to an unsecured firearm by a minor.

HB 82 (Tipton)

Constitutional amendment would provide for the recall of all elected officials, except judges, by the voters.

HB 83 (Brown and Raymond)

Comprehensive reform bill on firearm safety and background checks.

HB 88 (Tackett Laferty)

Would establish the Kentucky State Park Centennial Commission, the Kentucky Semiquincentennial Commission, and the Old Fort Harrod Semiquincentennial Commission to coordinate celebrations.

HB 91 (Fischer and others)

Constitutional amendment would state that Kentucky's Constitution does not secure or protect a right to abortion or funding of abortion.

HB 93 (Minter)

Would amend civil rights law to allow recovery of punitive damages.

HB 99 (Stevenson)

Would provide civil immunity for damaging a vehicle if a person enters the vehicle with the reasonable, good-faith belief that a dog or cat is in immediate danger of death if not removed.

HB 100 (Stevenson)

Would require peace officers and animal control officers to serve notice of seizure of an animal subjected to cruelty and allow petition to a court to order payment of animal care costs by owner.

HB 101 (Hart and Lockett)

Would prohibit a public or private postsecondary educational institution from requiring a student to receive any vaccination for disease unless the student is participating in an educational program that involves the delivery of health care services.

HB 104 (Hart)

Would to allow a small business owner adversely effected by an emergency order to bring an action against the Commonwealth for lost income, loss of going concern, or fees and costs if the temporary or partial closure of the business would not have occurred but for compliance with an emergency order.

HB 112 (Bratcher)

Would create a cause of action against a property owner for maintaining a crime-related nuisance.

HB 116 (Minter and others)

Would amend state laws to include a prohibition against discrimination because of sexual orientation and gender identity.

HB 120 (Massey)

Would establish procedures for the creation of a consolidated emergency services district.

HB 124 (Fischer)

Would prohibit a sanitation district from imposing any fee, tax, surcharge, or other charge for the provision of service to a property unless the property is connected to a sanitary sewer owned or maintained by the sanitation district, the property will be connected to a sanitary sewer within five years, the property discharges storm water to a storm sewer or storm water improvement owned or operated by the sanitation district, the sanitation district's storm sewer controls storm water that flows to the property, or the person responsible for the charge has contracted with the sanitation district to provide the service.

HB 130 (Willner and others)

Would amend existing laws to prohibit discrimination because of sexual orientation and gender identity.

HB 134 (Riley and others)

Would prohibit a person employed by a school district from using corporal physical discipline.

HB 141 (Blanton)

Withdrawn.

HB 143 (Maddox)

Would prohibit denial of food processing and distribution permits based on failure to comply with executive orders relating to COVID-19.

HB 148 (McCoy)

Would add a diagnosis of serious mental illness to the disabilities which prevent execution for persons convicted of capital offenses.

HB 157 (Bowling)

Would establish the Kentucky State Park Centennial Commission and the Kentucky Semiquincentennial Commission to coordinate celebrations.

HB 161 (Bechler)

Would prohibit administrative bodies from promulgating administrative regulations relating to the COVID-19 pandemic without first consulting the General Assembly.

HB 162 (Osborne and Jenkins)

Would provide for an automatic recount in elections of constitutional officers, members of Congress, and members of the General Assembly when the vote margin is 0.5% or less and provide for a recount in elections of the Governor and Lieutenant Governor, members of Congress, and members of the General Assembly when an automatic recount does not apply.

HB 171 (Tipton)

Would limit declarations of emergency, including executive orders relating to an emergency, to 15 days unless extended by the General Assembly.

HB 175 (Maddox and others)

Would establish a cause of action for unlawful discriminatory practice against the firearms industry.

HB 178 (Sheldon)

Would require appointments to the Kentucky Board of Education to reflect equal gender representation and proportionally reflect the Commonwealth's political affiliation and minority racial composition and add a student and a teacher to the board as non-voting members. Would also prevent Governor from reorganizing the Board by Executive Order.

HB 182 (Raymond)

Would provide that a person convicted of a felony shall not be permitted to vote until his or her civil or voting rights have been restored by executive pardon or order; would allow voter registration on the day of an election; and provide that each application for a motor vehicle driver's license shall be a simultaneous application for voter registration unless declined by the applicant.

HB 186 (Scott)

Would require public middle and high school curriculum to include instruction on the history of racism.

HB 187 (Scott)

Would provide additional free speech protections for student journalists.

HB 191 (Petrie)(H. A&R)(posted)

Would provide for direct relief payments to eligible small businesses in eligible industries and to eligible small nonprofit organizations through grant application.

HB 192 (Petrie)(H. A&R)(posted)

Governor's Executive Branch Budget Bill for FY 2021.

HB 193 (Petrie)(H. A&R)(posted)

Governor's proposed transportation budget for 2021.

HB 194 (Petrie)(H. A&R)(posted)

Proposed legislative budget for 2021.

HB 195 (Petrie)(H. A&R)(posted)

Proposed judicial budget for 2021.

HB 199 (Reed)

Would clarify the requirement for an encroachment permit, as well as the power of the Transportation Cabinet to order encroachments on state roads to be removed or remedied.

HB 203 (Stevenson)

Would provide for curing certain mail-in absentee ballot deficiencies.

HB 204 (Stevenson)

Would establish the use of a secure ballot drop box as an option for return of a mail-in absentee ballot and to establish requirements for drop box use.

HB 205 (Stevenson)

Would provide for requesting a mail-in absentee ballot by requesting an application from the county clerk or by requesting the ballot directly through a secure online portal.

HB 209 (Dixon and Heavrin)

Would prohibit state and local government entities from restricting the donation of game meat to or from the Kentucky Department of Fish and Wildlife Resources.

HB 210 (Heavrin and Meade)

Would require employers to provide the same leave policies to adoptive parents as they provide to birth parents; change the applicable age of an adoptive child from seven to ten.

HB 215 (Nemes)

Would repeal and reenact new crimes of animal abuse in the first degree, animal abuse in the second degree, and aggravated animal abuse; create exceptions; create a new section of KRS Chapter 525 to authorize law enforcement and animal control officers to seize and hold animals who are victims of cruelty or abuse; and grant civil immunity to a person who enters a car containing a dog or cat believed in good faith to be in danger of death, subject to certain parameters.

HB 217 (Maddox and others)(H. State Govt)

Yet another bill directed at curtailing the Governor's powers during emergencies.

HB 225 (Fischer)

Would change the filing deadline for candidates of more than one county, congressional candidates, and General Assembly candidates seeking elected office from the first Friday following the first Monday in January to the last Tuesday in January.

HB 228 (Brown)

Would prohibit employers from considering or requiring disclosure of prior criminal history as part of the initial job application.

HB 232 (Nemes and Stevenson)

Proposed constitutional amendment would automatically restore the voting rights of persons convicted of certain felonies upon completion of their imprisonment, probation, or parole and automatically restore their civil rights five years after completion of their imprisonment, probation, or parole.

HB 238 (Johnson and others)

Would allow city utilities boards to consist of either 3 or 5 members, and to specify the appointment of nonresident utility commission members for utility commissions consisting of three members and five members.

HB 242 (Bechler and Reed)

Would prohibit local governments and colleges from adopting sanctuary policies; establish hearing procedures for determination of sanctuary status and provide for the withholding of state funding from sanctuaries.

House Resolutions

HR 1 (Osborne)(Adopted)

Adopts Rules of Procedure for 2021 Session.

HCR 5 (Bentley)

Concurrent resolution would urge federal policymakers to expedite research regarding the safety and efficacy of the use of marijuana for medical purposes.

HR 12 (Santoro)

Simple resolution would urge the General Assembly to adopt legislation to adequately fund the Commonwealth's transportation system.

Senate Bills

SB 1 (Castlen and others)(To Governor)

Would limit the effective dates of executive orders issued by the Governor to 30 days unless an extension is approved by the General Assembly and prohibit the Governor from issuing a new executive order relating to the same emergency without the approval of the General Assembly. One of many attempts in this session to curtail the emergency powers of the Governor.

SB 2 (West and others)(To Governor)

Comprehensive revisions to Administrative Regulation promulgation process.

SB 3 (Hornback)(H. Ag)

Would reorganize several agricultural boards and attach those boards to the Department of Agriculture rather than the office of the Governor.

SB 5 (Stivers and others)(S. Eco. Dev.)

Would provide liability protection for owners of premises during a declared emergency and refine the immunity of the state, private persons, volunteers, professional engineers and architects, and persons providing essential services during an emergency.

SB 11 (Schickel)(S. L&O)

Would amend existing law to specifically include damage to residential rental property in the crime of criminal mischief.

SB 23 (Neal)

Would require Legislative Research Commission staff to identify a bill, amendment, or committee substitute that may result in a health disparity impact and notify the sponsor and the Cabinet for Health and Family Services; require the cabinet to determine if a health disparity impact review is necessary and complete the review if appropriate.

SB 24 (McDaniel)

Proposed constitutional amendment would require the General Assembly to convene if the Governor declares a state of emergency in the Commonwealth, and the state of emergency exceeds thirty days in the aggregate of a calendar year during which time the General Assembly is not in regular session.

SB 27 (Neal)

Would require the Special Committee on New State Capitol Monuments to meet at least once a year to establish criteria for selection of statues and monuments to be located in the Capitol Rotunda; require the committee to report its criteria after its second annual meeting to the Historic Properties Advisory Commission, the Office of the Governor, and the members of the Legislative Research Commission.

SB 28 (Wilson and Southworth)

Would provide exemptions from mandatory immunization for any child, emancipated minor, or adult who, personally or by a parent or guardian, submits a written sworn statement objecting to the immunization based on conscientiously held beliefs.

SB 37 (Girdler)

Would prohibit required immunization of any person by any state agency or instrumentality.

SB 40 (Neal)

Would require racial and ethnic community criminal justice and public safety impact statements for certain legislation and administrative regulations.

SB 41 (Thomas)

Would gradually raise the state minimum wage for hourly and tipped employees.

SB 43 (Thomas)

Would define “heir” property and create a mechanism for partition or sale among cotenants by the court and create protocol for buyouts, partition alternatives, partition in kind, sale by open-market, sealed bids, or auction.

SB 46 (Neal)

Would make it a crime to unlawfully store a firearm; establish elements of the crime for recklessly allowing access to an unsecured firearm by a minor.

SB 59 (Harper Angel)

Would prohibit retail pet shops from selling dogs, cats, and rabbits.

SB 60 (Meredith)

Would abolish the death penalty and replace it with life imprisonment without parole for inmates presently sentenced to death.

SB 65 (West)

Create a new section of KRS Chapter 13A to nullify 3 administrative regulations that became effective after being found deficient during the 2020 legislative interim.

SB 75 (Wheeler)(S. Transp)

Would allow a local government that is located within the boundary of a regional authority, to pass an ordinance allowing for the operation of off-highway vehicles (OHVs) on a roadways under local government jurisdiction and state roadways approved by the Transportation Cabinet and require OHV passengers under the age of 18 to wear a helmet.

SB 82 (Southworth)

Would enable local governments to legislate enforcement action for dog and welfare safety, so long as that the ordinance, regulation, or policy does not regulate ownership of a dog based on its breed or perceived breed and is consistent with state law.

SB 89 (McDaniel)

Proposed constitutional amendment prohibiting the Governor's ability to grant pardons or commute sentences beginning 30 days prior to a gubernatorial election and ending at that gubernatorial inauguration.

SB 92 (West)

Would create a regulated medicinal cannabis program.

SB 94 (Embry)

Would require that an applicant seeking to site or expand a solid waste disposal facility submit to be licensed pursuant to KRS 68.178, which authorizes a county to impose a 2% of 5%/6.25% gross profits fee on certain solid waste facilities.

SB 98 (Southworth and others)

Would prohibit employers from discriminating against an individual who declines immunization or requiring immunization as a condition of employment.

SB 99 (Kerr)

Arguably prohibited special legislation that would exempt facilities at Bluegrass Station in specific areas from requirement to have construction contracts executed under the supervision of a licensed architect or professional engineer.

Senate Resolutions

SR 1 (Stivers)(Adopted)

Rules of Senate for 2021 Session.

SR 19 (McGarvey)

Simple resolution honoring Cathy Hinko on the occasion of her retirement as Director of the Metropolitan Housing Coalition.