

# 2023 KENTUCKY GENERAL ASSEMBLY

Legislative Updates from the Kentucky Resources Council

## 2023 General Assembly Regular Session Bills We're Watching: The Third Edition

The 2023 General Assembly is underway and we at the Kentucky Resources Council are once again tracking environmental, conservation, consumer, energy, and general government bills and resolutions. We will publish this notice on our website weekly throughout the Session with updates on the bills we are supporting, opposing, or tracking. This summary is complete through end of legislative day 12, February 17, 2023. There are 18 legislative days remaining in the 2023 Regular Session.

This year is a "short" 30-legislative day session and began on January 3, 2023, with an anticipated final day on March 30, 2023. The General Assembly will not be in session on February 20, 27 and March 6<sup>th</sup>. March 15 and 16 are set aside as "concurrence" days, and there is a "veto" recess from March 17 through 28<sup>th</sup> before the General Assembly reconvenes on March 29 and 30<sup>th</sup> to consider any vetoes of bills and to finish work on bills and resolutions prior to adjournment *sine die*.

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!)

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### SHARE THESE NOTICES

Feel free to share this notice. If you know someone who would like to be added to this list, tell them to write us at [amy@kyrc.org](mailto:amy@kyrc.org). The legislative update will be refreshed and republished each Friday afternoon when the General Assembly is in session.

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### STAY INFORMED DURING THE 2023 GENERAL ASSEMBLY

**Find copies of bills, votes, and more information at**

<https://apps.legislature.ky.gov/record/23rs/record.html>

To find out bill status by phone, call 1-866-840-2835.

**Find your legislator at**

<https://apps.legislature.ky.gov/findyourlegislator/findyourlegislator.html>

**Leave a message for a legislator on the message line**

Call 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 schedule of the committees during the 2023 session is found here:**

[https://legislature.ky.gov/Documents/Current\\_Standing\\_Schedule.pdf](https://legislature.ky.gov/Documents/Current_Standing_Schedule.pdf)

**Note that there is a daily schedule published on the preceding day, which may alter the standing committee schedule to cancel a meeting, or to propose a special meeting. That daily schedule is found here: <https://apps.legislature.ky.gov/legislativecalendar>**

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 bill sponsor is then listed, followed by its current status of the bill (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:**

# 2023 Kentucky General Assembly Short Session

## ABBREVIATIONS FOR BILL'S COMMITTEE

S. Ag	Senate Agriculture Committee
S. A&R	Senate Appropriations & Revenue
S. B&I	Senate Banking & Insurance Committee
S. C on C	Senate Committee on Committees
S. Eco Dev	Senate Economic Development, Tourism & Labor Committee
S. Ed	Senate Education Committee
S. H&W	Senate Health & Welfare Committee
S. Judiciary	Senate Judiciary Committee
S. L&O	Senate Licensing & Occupations Committee
S. NR Energy	Senate Natural Resources & Energy Committee
S. Rules	Senate Rules Committee
S. State Local Govt	Senate State & Local Government Committee
S. Transp	Senate Transportation
S. Veterans	Senate Veterans, Military Affairs, & Public Protection Committee

H. Ag	House Agriculture
H. A&R	House Appropriations & Revenue Committee
H. B&I	House Banking & Insurance Committee
H. CC	House Committee on Committees
	<i>This is the "first stop" for all new bills, from which the bills are assigned to a committee for consideration.</i>
H. Eco Dev	House Economic Development & Workforce Investment Committee
H. Ed	House Education Committee
H. Elections	House Elections, Constitutional Amendments, & Intergovernmental Affairs Committee
H. H&FS	House Health & Family Services Committee
H. Judiciary	House Judiciary Committee
H. L&O	House Licensing, Occupations & Adm. Regulations Committee
H. Local Govt	House Local Government Committee
H. Nat Res Energy	House Natural Resources & Energy Committee
H. Rules	House Rules Committee
H. Sm Bus	House Small Business & Information Technology Committee
H. State Govt	House State Government Committee
H. Tourism	House Tourism & Outdoor Recreation Committee
H. Transp	House Transportation Committee
H. Veterans	House Veterans, Military Affairs & Public Protection Committee

## **BILLS AND RESOLUTIONS FOR WHICH KRC HAS TAKEN A POSITION**

### **House Bills**

HB 4 (Branscum and others)(H. A&R)(+/-, needs revisions)

Bill would revise the current statutes on the Kentucky State Board on Electric Generation and Transmission Siting. Numerous provisions would be added or amended, including those regarding the term of the ad hoc members appointed to the Board, and decommissioning plan and bond requirements.

Revisions are needed to assure the adequacy of decommissioning bonds to fully assure decommissioning in the event of operators default, and to fully protect landowners during the decommissioning process. KRC will talk with the sponsor and other stakeholders to try to secure needed improvements.

HB 40 (Lewis, Hale)(H. L&O)(-)

What would a legislative session be without a bill proposing changes in the administrative regulation process to address regulations found by an interim legislative committee to be “deficient?” Bill in plain conflict with the separation of powers doctrine under Sections 27 and 28 of the Kentucky Constitution, would nullify any regulation found deficient by a legislative committee unless the agency appealed that finding to the Attorney General’s office within 10 days and the AGs office overruled the finding.

In addition to the unconstitutionality of granting interim legislative committees veto power over a regulation, the bill is a solution in search of a problem. The number of regulations found deficient and put into effect by the Governor under current law notwithstanding a finding of deficiency by a legislative committee is negligible on an annual basis, and in many years, there are none. Any effort by the General Assembly to cause an automatic nullification of a regulation during the legislative interim, whether directly or by referral to the Attorney General, as in this case, would run afoul of the *LRC v. Brown* decision. The General Assembly can make findings of deficiency and can act on those findings during the next legislative session, but it cannot delegate to a committee or in this case to another constitutional officer, the power to nullify a regulation.

HB 66 (Willner)(H. CC)(+)

Would regulate disconnection of electric and gas service by PSC-regulated utilities, including creating winter and summer temperature standards to prohibit disconnection of service by retail electric and gas utilities; establish a certificate of need for persons who are at risk if utility service is disconnected; prohibiting disconnection of service on holidays and weekends and before 8 a.m. and after 5 p.m. on weekdays; allowing for reconnection of service for partial payment with a payment plan; waiving fees for customers having obtained a certificate of need; require utility to make reasonable effort towards reestablishing service for a customer terminated after having obtained a certificate of need, and making other reforms.

HB 74(Hart and 17 others)(H. CC)(-)

Would make water fluoridation programs optional and allow the governing bodies of water systems subject to regulation by the Cabinet for Health and Family Services to decide whether they participate in water fluoridation programs.

Consistent with KRC’s historic position, KRC believes that fluoridation meeting state and federal standards, as a tool for advancing oral hygiene, is recognized as among the most effective public health initiatives. Further, any issues pertaining to state water fluoridation should be addressed administratively through the Cabinet for Health and Family Services.

HB 94 (Kulkarni)(H. CC)(+)

Would establish a Healthy Soils Program and a Healthy Soils Program fund in the Department for Natural Resources, Division of Conservation to provide technical advice and assistance and to assist with soil health assessments and soil health plans; approve applications for grants and other types of financial assistance under the Healthy Soils Program; require the Agriculture Water Quality Authority to promote soil restoration and include an organic agriculture organization among appointments to the authority and add healthy soil practices as a committee.

HB 96 (Kulkarni)(H. CC)(+)

Would establish the Kentucky Urban Farming Youth Initiative to promote farming to youth in urban counties in urban University of Kentucky Cooperative Extension Service offices.

HB 140 (Raymond)(H. CC)(+)

Proposed constitutional amendment to establish a right of the people to have a healthy environment, including a right to clean air, pure water, and ecologically healthy habitats; declare the Commonwealth's natural resources, among them its air, water, flora, fauna, climate, and public lands, are the common property of all people, including generations yet to come; establish that as trustee of the environment and its natural resources, the Commonwealth shall conserve and maintain them for the benefit of all people.

HB 160 (Freeland)(H. Rules)(+)

Would amend existing law to fix problems created by a previous legislative amendment to state clean water laws regarding Westlake Vinyls and a pre-2004 mixing zone that had been approved for a bioaccumulative chemical of concern. Prior to 2004, mixing zones that allow a certain amount of dilution of discharged wastewater prior to meeting in-stream water pollution limits, was available for bioaccumulative chemicals of concern. Westlake was one of the facilities that had obtained such an approval, and those pre-2004 approvals were exempted from a ban on mixing zones for BCCs that has been in effect since that time.

The bill corrects many of the problems created by the previous bill, which KRC had unsuccessfully opposed, that could have, if implemented, resulted in Kentucky losing primary regulatory authority for Clean Water Act permitting in the Commonwealth.

KRC testified before committee in support of the changes to restore the Cabinet's ability to determine on a permit-by-permit basis whether a pre-2004 mixing zone granted for a BCC should be continued, reduced, or eliminated. The bill also does not prevent the Cabinet from requiring on a case-by-case basis that a discharger using multi-port diffusers in order to meet water pollutant discharge permit limits adjust any mixing zone to account for the use of diffusers in accelerating the mixing and dilution of wastewaters.

HB 187 (King)(H. CC)(+)

Would require that a greenhouse gas emissions reduction agreement that creates an interest in real property that imposes limitations or affirmative obligations on the use of the real property by its owner and subsequent grantees for the purposes of reducing greenhouse gas emissions or storing greenhouse gas emissions that would have otherwise been released be recorded pursuant to the requirements of KRS 382.110 to be binding on subsequent purchasers or creditors.

HB 197 (Kulkarni)(H. CC)(+, needs revision)

Would require the Energy and Environment Cabinet on or before January 1, 2024, to promulgate administrative regulations establishing maximum PFAS chemical limits and monitoring requirements for drinking water provided by public and semi-public water systems and maximum PFAS chemical limits and monitoring requirements for discharges into the waters of the Commonwealth; require that maximum PFAS chemical limits be designed to protect public health and be updated.

KRC appreciates Rep. Kulkarni's advocacy for protective limits on these "forever chemicals" in drinking water systems and in wastewater discharges. EPA is in the process of developing such limits and we encourage their prompt adoption by the Energy and Environment Cabinet, as well as interim imposition of monitoring requirements for PFAs and PFOAs for all industrial and municipal wastewater discharges and wastewater plant solids from industrial and municipal sources.

HB 222 (Gooch)(H. Rules)(+)

Would extend the levy of the hazardous waste management assessment until June 30, 2032.

HB 264 (Pratt)(H. Sm Bus)(-)

Law would establish an office of regulatory relief that would be empowered to waive compliance with state laws and regulations in order to allow a “sandbox participant” to demonstrate an innovative idea. To the extent that such a program would allow the suspension of applicability of an environmental protection or workplace safety or health standard, such delegation to the newly-established office is inappropriate, and could jeopardize continued delegated authority for Kentucky to manage several environmental and health and safety programs. Many individual regulatory programs already contain waivers and variances that allow for innovative or fundamentally different factors while maintaining essential public protections and if others are desired, they should be developed by those agencies and with assurances that such protections will never be sacrificed or traded off.

HB 306 (Raymond)(H. CC)(+)

Would require radon testing for child care centers, schools, and rental properties.

HB 307 (Raymond)(H. CC)(+)

Would require a sellers and landlords of residential property to conduct and pay for tests to determine lead content as a condition of sale or rental and require disclosure.

### **House Resolutions**

HJR 8 (Lawrence)(H. CC)(-)

Joint resolution would 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 largely believe that the scope of such a convention would not be limited to enumerated issues but could become a vehicle for wide-ranging damage to personal liberties and constitutional protections. And there are already constraints on the terms of office of elected officials and members of Congress, which are called “elections.”

HJR 37 (Bauman and others)(H. CC)(-)

Direct the Energy and Environment Cabinet to adopt revisions to the state air quality implementation plan to remove the reformulated gas requirement for Jefferson County and applicable parts of Oldham and Bullitt Counties; specify required elements of the revisions.

The determination by the Cabinet or Metro Louisville Air Pollution Control District on what strategies to employ in order to achieve and maintain air quality should be driven by the periodic reevaluation of the continued efficacy and cost-effectiveness of those measures, and not by legislative mandate. Elimination of cost-effective measures regarding mobile sources results in many cases in increased burdens on stationary major and area sources.

## **Senate Bills**

SB 4 (Mills and others)(S. NR Energy)(-)

Bill would create a presumption against retirement of coal-fired electric utility plants owned by PSC-regulated electric utilities. While the concept of direct PSC review and approval of decisions to retire generation units deserves consideration and grid resiliency and reliability are legitimate issues, the bill as written has substantial legal and practical problems that could unreasonably burden ratepayers in order to advance continued operation of coal-fired generation units that should be retired because of inefficiency, cost of operation relative to cleaner energy sources, and relative pollutant contributions.

SB 113 (Storm)(S. Transp)(+/-)

Would limit the scope of the Department of Highways regulation of auto recyclers to facilities located along the national highway system rather than all Kentucky roads. KRC had been concerned with the effect of state deregulation on existing recyclers along roads that would no longer be regulated by the state DOT. Language was added in past versions that would keep screening, site, and use restrictions imposed by the state in place unless removed by a planning and zoning body, city, or county.

KRC will talk with the sponsor and KDOT about delaying the effective date in order to give counties sufficient time to enact local provisions to replace those being lost by the narrowing of state jurisdiction.

SB 126 (Howell) (S. Judiciary)(-)

Bill would further muddle venue for civil actions against state officials or the General Assembly that challenges the constitutionality of state laws, regulations, and agency orders, by allowing any plaintiff or defendant in such an action to request a change of venue without reason, at which time the case will be assigned randomly by the Supreme Court Clerk to another circuit. Former law provided that venue was in Franklin Circuit Court, which was changed more recently to provide that venue lies where the plaintiff resides if the plaintiff is a Kentucky resident, or in Franklin County if a non-resident.

SB 127 (West)(S. HS)(-)

Bill would make water fluoridation programs optional by allowing the governing bodies of water systems subject to regulation by the Cabinet for Health and Family Services to decide whether they want to end participation.

## **Senate Resolutions**

SR 46 (Wheeler)(S. CC)(+)

Would confirm Mary Pat Regan as a Commissioner for the Public Service Commission. Commissioner Regan is by training and experience well-qualified for the position and should be confirmed.

SJR 78 (Mills, Storm)(S. State Local Govt)(-)

Senate version of HJR 8, this joint resolution would 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 largely believe that the scope of such a convention would not be limited to enumerated issues but could become a vehicle for wide-ranging damage to personal liberties and constitutional protections. And there are already constraints on the terms of office of elected officials and members of Congress, which are called "elections."

## **BILLS AND RESOLUTIONS FOR WHICH KRC HAS TAKEN NO POSITION**

*KRC has listed below a number of bills on which we have taken no position, but which we believe are of public interest or concern, and which affect one or more facets of justice, personal freedom, and social responsibility. They are presented for your consideration.*

### **House Bills**

HB 1 (Petrie)(S. A&R)

Would reduce the individual income tax to 4.5% for taxable years beginning January 1, 2023, and to 4% for taxable years beginning January 1, 2024.

HB 11 (Petrie, Reed)(S. A&R)

Would amend the 2022-2024 Transportation Cabinet biennial budget to remove the General Fund appropriation for the Electric Vehicle Charging Program in fiscal year 2022-2023.

HB 12 (Tipton)(H. Transp)

Would prohibit the use of a personal communication device or stand-alone electronic device while operating a motor vehicle.

HB 15 (Stevenson)(H. CC)

Would prohibit employers from refusing to grant a qualified an employee family care leave for the birth of a child or to take care of a family member.

HB 21 (Bridges)(H. Transp)

Would require the Transportation Cabinet to establish procedures and forms to allow an individual without a fixed, permanent address to submit a form signed by a shelter, health care facility, or other social service agency attesting to the applicant's residence for the purpose of issuance of a renewal operator's license or an initial or renewal personal ID card.

HB 22 (Roberts)(H. CC)

Would legalize and regulate the cultivation, processing, transportation, sale, use, taxation, and licensing of cannabis.

HB 26 (Rabourn)(H. CC)

Would prohibit a public agency or any other entity created by an act of the General Assembly from using federal, state, and local tax dollars for lobbying purposes.

HB 30 (Wesley)(H. CC)

Would require students born male to use only those facilities designated to be used by males and students born female to use only those facilities designated to be used by females; require schools to provide the best available accommodation to students who assert that their gender is different from their biological sex.

HB 31 (McPherson)(H. CC)

Would prohibit Kentucky Board of Education from requiring students to receive the COVID-19 vaccine to attend school.

HB 34 (Raymond)(H. CC)

Would allow a city to establish a mandatory preference for awarding public construction project contracts to unions through a negotiated project labor agreement; to negotiate wages that are higher than the state or federal minimum wage as a condition of the project labor agreement; and to enact prevailing wage ordinances.

HB 50 (Lockett)(H. CC)

Identical to SB 50, would make elections for county commissioner, mayor, city councils, city offices, boards of education, and soil and water conservation officers partisan.



HB 59 (Raymond)(H. CC)

Proposed constitutional amendment to establish the initiative power of the people to propose laws and to enact or reject proposed initiatives at an election.

HB 69 (Stevenson)(H. CC)

Would require employers to provide earned paid sick leave to employees.

HB 77 (Reed)(H. Ag)

Would establish year-round Daylight Saving Time in the state of Kentucky if authorized by the United States Congress.

HB 79 (Willner, Aull)(H. CC)

Would direct the Kentucky State Police to establish the Kentucky Voluntary Do Not Sell Firearms List to prohibit the possession, sale, or transfer of firearms to individuals who voluntarily request to be added the list; and exclude persons on the list from eligibility for license to carry a concealed weapon.

HB 92 (Calloway)(H. CC)

Would allow a parent or guardian to opt a student out of any public school requirement for medical devices and procedures, and treatments without any documentation or certification to opt out.

HB 93 (Kulkarni)(H. CC)

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 97 (Herron)(H. CC)

Proposed constitutional amendment to 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 100 (Rawlings)(H. CC)

Would establish a new legislative Committee on Constitutional Enforcement to review and comment on any federal action or global organization action and to refer a federal action or global organization action to the Attorney General or to make a recommendation to the General Assembly to adopt a resolution urging Congress to take action if it finds the federal action or global organization action violates the Kentucky Constitution.

HB 101 (Decker and others)(H. HS)

Would prohibit Kentucky Board of Education from requiring students to receive the COVID-19 vaccine in order to attend school.

HB 103 (Dotson)(H. CC)

Would make torture of a dog or cat a Class D felony in every instance and that each act may constitute a separate offense.

HB 107 (Graham, Stevenson, Roberts)(H. CC)

Would establish a medicinal cannabis program.

HB 110 (Baker and others)(H. CC)

Would add conscientiously held beliefs to the list of exceptions to child immunization requirements.



HB 116 (Rabourn and others)(H. Rules)

Would revise procedures for election of supervisors for conservation districts and impose minimum age requirement of 21 years.

HB 118 (Maddox and Rabourn)(H. CC)

Would lower the age requirement for carrying a concealed and deadly weapon from 21 to 18.

HB 120 (Maddox and Rabourn)(H. CC)

Would prohibit the provision of or referral for gender transition procedures, provision of health care services, medicaid coverage, and use of public funds, to any child under the age of 18 years.

HB 121 (Tackett Laferty)(H. CC)

Would remove the requirement that an affected employee previously diagnosed with occupational pneumoconiosis resulting from exposure to coal dust must have an additional two years of employment in the Commonwealth wherein the employee was continuously exposed to the hazards of the disease in order to reopen a claim.

HB 122 (Tackett Laferty)(H. CC)

Would eliminate the requirement that physicians contracting with the commissioner of the Department of Workers' Claims to perform evaluations in occupational disease claims be "B" readers who are licensed in Kentucky and are board-certified pulmonary specialists.

HB 128 (Kulkarni)(H. CC)

Would update the Uniform Residential Landlord and Tenant Act.

HB 130 (Neighbors and others)(H. Ag)

Would revise laws on acquisition and leasing of heavy and specialized equipment by soil conservation districts.

HB 137 (Maddox)(H. CC)

Would allow a student, staff, or faculty member to opt out of a postsecondary school's immunization policy for specific reasons; and prohibit a public entity from creating standardized documentation with the purpose of certifying vaccination status.

HB 138 (Maddox)(H. CC)

Would repeal law that allows postsecondary facilities, local governments, and units of state government to limit concealed carry in governmental buildings.

HB 139 (Maddox)(H. CC)

Would require public postsecondary institutions to adopt a policy to not restrict off-campus speech; extend free speech protections to the public; provide that student religious and political organizations shall be afforded equal access to facilities.

HB 149 (Upchurch)(H. Transp)

Would prohibit traveling in the left-most lane of an interstate or limited access highway with multiple lanes of travel in each direction at a speed lower than the posted maximum speed limit.

HB 151 (W. Williams)(H. Rules)

Would amend standards for licensure as a land surveyor.

HB 153 (Bray, Lewis)(H. Rules)

Would prohibit identified entities from enforcing federal firearm bans; prohibit identified entities from adopting rules, regulations, or ordinances that require enforcement of federal firearm bans.

HB 155 (Witten and others)(H. CC)

Would prohibit the use or download of TikTok on any network or device under the control of a public agency.

HB 159 (Maddox)(H. CC)

Would prohibit an identified entity from enforcing or assisting in the enforcement of, any federal law that does not exist under the laws of Kentucky and limits firearm ownership.

HB 169 (Flannery)(H. Transp)

Would allow the registration of an OHV as a motor vehicle in accordance with KRS 186.050(3)(a) and set standards for insurance and vehicle specs.

HB 173 (Calloway and others)(H. CC)

House version of SB 102 regarding “parental rights” and matters of sexual orientation and gender identity in schools.

HB 174 (Calloway and others)(H. .CC)

Proposed constitutional amendment to authorize the General Assembly to provide for the educational costs of elementary and secondary school students outside of the public school system.

HB 175 (Rabourn and others)(H. CC)

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 or there is an approved plan to connect the property within two years.

HB 179 (Tipton)(H. CC)

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

HB 201 (Blanton)(H. Transp)

Would direct the Transportation Cabinet to establish a pilot program for automated speed enforcement in highway work zones and issue a uniform civil citation to an operator of a motor vehicle traveling more than 10 miles per hour over the posted speed limit.

HB 203 (Swann, Chester-Burton)(H. CC)

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

HB 205 (Brown, Chester-Burton)(H. CC)

Would provide that school disciplinary codes shall prohibit discrimination on the basis of race including protective hairstyle.

HB 206 (Brown, Chester-Burton)(H. CC)

Would add the nineteenth day of June as a state holiday commemorating Juneteenth National Freedom Day.

HB 211 (Aull and numerous others)(H. CC)

Would eliminate Robert E. Lee and Jefferson David Day as days when state offices can be closed as public holidays.

HB 212 (Aull)(H. CC)

Would create a hearing for the removal and banning of dog ownership or possession in cases where a person incompetent to stand trial is charged with harboring a vicious dog.

HB 216 (Kulkarni)(H. CC)

Would create an employer student loan repayment state tax credit, equal to fifty percent of the amount paid by an employer on an eligible student loan of a qualified employee.

HB 228 (Brown)(H. CC)

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

HB 240 (Kulkarni, Nemes)(H. CC)

Would establish home modification tax credit, not to exceed \$7,500 annually, for qualifying home installations to increase the habitability or efficiency of the residence for individuals that are age 65 or older or have a physical or mental impairment.

HB 293 (Herron and others)(H. CC)

Would amend Kentucky civil rights laws to prohibit discrimination on the basis of sexual orientation or gender identity.

HB 294 (Stevenson)(H. CC)

Would prohibit retail pet shops from selling dogs, cats, and rabbits; allow retail pet shops to collaborate with animal shelters to showcase dogs, cats, or rabbits.

HB 303 (Branscum)(H. Eco Dev)

Would reorganize Cabinet for Economic Development and include hydrogen transmission pipelines in a number of incentive programs.

HB 321 (Bratcher and Nemes)(H. CC)

Would establish crimes of animal abuse in the first degree and animal abuse in the second degree; 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.

HB 325 (Herron)(H. CC)

Would allow consolidated local governments to destroy firearms abandoned, confiscated, or forfeited under the Kentucky Penal Code.

HB 326 (Herron, Aull)(H. CC)

Would establish an Office of Safer Communities under the oversight of the Department for Public Health.

HB 327 (Herron, Nemes, Willner)(H. CC)

Would require African history instruction in certain middle and high school world history and civilization and United States history courses.

HB 341 (Doan)(H. CC)

Proposed state constitutional amendment would abolish the office of Treasurer.

HB 348 (Raymer)(H. CC)

Would prohibit production of intoxicating hemp-derived products.

HB 364 (Bray)(H. CC)

Would prohibit a public employer from withholding money relating to labor organization dues or funding political activity from a state public employee's wages. Bill is aimed at preventing future deductions made in accordance with a joint wage agreement or collective bargaining contract.

HB 366 (Gentry and others)(H. CC)

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

HB 367 (Gentry)(H. CC)

Would name coal as the official rock of Kentucky; and chalcedony agate as the official mineral of Kentucky.

HB 377 (Moser and others)(H. CC)

Would remove expiration dates for gift cards.

HB 378 (Moser)(H. CC)

Would make it ethical misconduct for a legislator or legislative agent to engage in discrimination or sexual harassment and allow legislative agents to make campaign contributions to a member of the General Assembly who is a candidate seeking election for a statewide office.

### **House Resolutions**

HR 2 (Osborne) Adopted

House Rules of Procedure for 2023 Regular Session.

HR 15 (W. Thomas) Adopted

Would recognize January 27, 2023, as International Holocaust Remembrance Day.

HR 17 (Brown)(H. CC)

Would honor the celebration of Black History Month and recognize that Black history is American history.

HJR 49 (Frazier Gordon)(H. CC)

Joint resolution would direct the Tourism, Arts, and Heritage Cabinet to consult with the Transportation Cabinet and other relevant state and local agencies to develop the Kentucky Women's History Trail.

### **Senate Bills**

SB 7 (Mills)(S. Ed)

Bill aimed at preventing deductions from employee paychecks for union dues or fees.

SB 15 (Westerfield)(S. Eco Dev)

Would create consumer data collection protections and enforcement mechanism.

SB 17 (Southworth)(S. State Local Govt)

Would require public agency employees to undergo open records training.

SB 30 (Girdler)(S. B&I)

Would require businesses to present automatic renewal or continuous service offer terms clearly and conspicuously to consumers before purchase; require the consumer's consent before charging the consumer; and information regarding cancellation.

SB 31 (Southworth)(S. Ed)

Would amend current law regarding weapons and school facilities.

SB 32 (R. Thomas)(S. A&R)

Would incrementally increase minimum wage for employers with over \$500,000 average annual gross volume of sales to \$15.00 an hour and allow local higher minimum wages by ordinance.

SB 45 (Meredith, Neal, Adams)(S. CC)

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

SB 47 (West, Wheeler, Nemes)(S. CC)

Would establish a medicinal cannabis program.

SB 50 (Thayer)(S. State Gov)

Would make elections for county commissioner, mayor, city councils, city offices, boards of education, and soil and water conservation officers partisan.

SB 51 (Yates) (S. CC)

Would create program for regulation of the cultivation, processing, transportation, sale, use, taxation, and licensing of cannabis.

SB 56 (Harper Angel)(S. CC)

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

SB 61 (Meredith)(S. State Local Govt)

Would introduce ranked voting for certain elections.

SB 62 (Westerfield)(S. Rules)

Would prohibit a public agency from requiring an individual or nonprofit organization to compel the release of personal information or require a contractor or grantee with the public agency to provide a list of nonprofit organizations to which it provides financial support.

SB 63 (Westerfield)(S. Rules)

Would provide that school disciplinary codes shall prohibit discrimination on the basis of race, including protected hairstyles.

SB 65 (West)(S. Rules)

Would nullify an administrative regulation found deficient during the 2022 legislative interim.

SB 78 (Yates)(S. State Local Govt)

Proposed state constitutional amendment to legalize the possession, sale, distribution, dispensing, use, and prescribing of cannabis for medical purposes as regulated and controlled by the General Assembly and to direct the 2025 General Assembly to propose an additional new section of the Constitution of Kentucky to legalize recreational cannabis if medical cannabis is approved by the voters.

SB 84 (Thomas)(S. Veterans)

Would allow urban-county governments and consolidated local governments to regulate firearms and ammunition to reduce gun violence except when state or federal law preempts local governance.

SB 86 (Thomas)(S. A&R)

Would define "heirs property" and create a mechanism for partition or sale among cotenants by the court.

SB 87 (Neal)(S. Veterans)

Would make it a crime to unlawfully store a firearm; and to recklessly allowing access to an unsecured firearm by a minor.

SB 92 (Higdon)(S. Ag)

Would revise laws regarding assistance dogs.

SB 98 (Tichenor)(S. Veterans)

Would prohibit identified entities from enforcing federal firearm bans.

SB 102 (Tichenor and others)(S. Ed)

Bill seeks to establish "parental rights" and legal rights of action regarding children concerning sexual orientation, sexual preference, or gender expression issues.

SB 118 (Westerfield)(S. State Local Govt)

Proposed state constitutional amendment to state that Kentucky's Constitution does not secure or protect a right to abortion or funding of abortion, while allowing general assembly to enact laws regarding abortion including circumstances of pregnancy resulting from rape or incest or saving the life of the mother.

SB 125 (Harper Angel)(S. State Local Govt)

Would amend election laws to require multilingual ballot information and hotline.

SB 130 (Neal)(S. CC)

Would amend Kentucky's civil rights laws to prohibit discrimination on the basis of sexual orientation or gender identity.

SB 132 (Neal)(S. Ed)

Would provide additional free speech protections for student journalists; place limitations on additional protections.

SB 137 (Westerfield)(S. CC)

Would limit recoverable medical costs to amounts owed in tort actions.

SB 139 (West)(S. HS)

Would require employers that mandate employee immunization to allow exceptions based on religious belief or conscientious objection to immunizations.

SB 147 (Yates)(S. A&R)

Would establish the Office of Safer Communities in the state Department of Health.

SB 148 (Turner and others)(S. State Local Govt)

Would prohibit employees of public agencies and the Administrative Office of the Courts from engaging in telework unless the Governor declares an emergency; exempt employees whose primary job responsibilities require them to be away from their primary work station at least 50 percent of the time.

SB 150 (Wise and others)(To House)

Another "parental rights" bill seeking to limit authority of the Kentucky Board of Education and Kentucky Department of Education in relation a student's use of pronouns; prohibit a school district from requiring school personnel or pupils to use pronouns for students that do not conform to that student's biological sex; and establish requirements for any public school's course, curriculum, or program on the subject of human sexuality.

SB 155 (West)(S. CC)

Would prohibit a private employer from receiving statutory liability protection if that employer institutes a mandatory workplace vaccination policy.

SB 161 (Webb and others)(S. CC)

Would clarify requirements for members of the Kentucky River Authority.

SB 164 (Storm)(S. CC)

Proposed state constitutional amendment to 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 three years after completion of their imprisonment, probation, or parole.

SB 166 (Mills, Higdon)(S. CC)

Would expand scope of persons owing a fiduciary duty to the respective state-administered retirement systems, provide that fiduciaries shall consider the sole interest of the members and beneficiaries of the retirement systems using only pecuniary factors and prohibit the consideration of or actions taken to further non-pecuniary purposes including environmental, social, political, ideological interests, and prohibit any contract or agreement from voiding such fiduciary duties. The bill furthers the legislative effort to restrict investment that includes environmental or other societal goals as criteria for investment. Any legislative enactment should assure no state interference with the ability of beneficiaries in state-administered retirement systems to choose investment portfolios for their retirement that include such criteria or limitations.

SB 168 (Berg, Thomas)(S. CC)

Would require the destruction of confiscated firearms.

### **Senate Resolutions**

SR 2 (Thayer) Adopted

Rules of Procedure for 2023 Session.

SCR 31 (Givens, Adams) Adopted

Concurrent resolution expressing serious concerns of the General Assembly regarding the treatment and protection of juvenile offenders and staff of the Department of Juvenile Justice.

SR 38 (Neal and others) Adopted

Simple resolution to condemn the January 6, 2021, United States Capitol riots.

SJR 79 (Carroll)(S. NR Energy)

Joint resolution would establish the Nuclear Energy Development Working Group attached to the Energy and Environment Cabinet to identify the barriers to the deployment of nuclear power generation and related technologies and to consult with stakeholders to develop recommendations for the role of a permanent nuclear energy commission to be established in state government.