Kentucky General Assembly Adjourns

The Kentucky General Assembly adjourned the 2020 legislative session on April 15. A one-year budget was approved (for the first time) and the Coronavirus pandemic was the dominating feature during this most unusual session. A grand total of 932 bills were filed during the session (647 in the House and 285 in the Senate) and 127 of these bills are currently eligible to become law.

Current Overview:

1 bill has become law without the governor’s signature;
34 bills have been sent to the governor (the governor has until April 25 to act);
80 bills have been signed into law by the governor; and
12 bills have been delivered to the Secretary of State (2 Constitutional Amendments, 5 bills that were vetoed by the governor and were overridden by the House and Senate, and 5 budget bills that received line item vetoes (four were overridden, one was not)

HB 570, relating to Interlocal Cooperative Agreements, and supported by KRWA, KLC and KACO, passed on the last day and has been sent to the governor for his signature. This legislation modernizes and streamlines the Interlocal Cooperation Act, which allows state and local agencies, water and wastewater utilities, SPGEs, municipalities and other governmental entities to work together on mutual interests through specific, collaborative agreements.

A letter urging the governor to sign this legislation has been sent by KRWA, the League of Cities, KACo, the County Judge/Executives Association, the Magistrates and Commissioners Association and the Kentucky School Boards Association.

The state maintains a comprehensive Legislative website: http://www.lrc.ky.gov. From this site, you can view all bills and resolutions, contact legislators by email and check on legislative committee schedules and calendars.

This issue of e-Liaison contains summary information for bills that KRWA was tracking during the session. These bills have passed both the House and Senate, been signed into law by the governor, will become law without the governor’s signature, or are still subject to the governor’s veto power.
Amend KRS 511.100 to change the definition of "key infrastructure assets" to specify that natural gas or petroleum pipelines are the type of pipelines covered in the definition and include other types of infrastructure assets; amend KRS 512.020 to include tampering with, impeding, or inhibiting operations of a key infrastructure asset in the offense of criminal mischief in the first degree; create a new section of KRS 411 that a civil action may be maintained against a person that compensates or remunerates a person to violate KRS 512.020 and the compensated person is convicted of criminal mischief in the first degree.

CURRENT STATUS: 3/16/2020 - SIGNED BY GOVERNOR

Create a new section of KRS 424.110 to 424.370 to give local governments the option to post required advertisements online on a notice Web site operated by local government in lieu of newspaper publication, so long as a one-time advertisement is published in an actual newspaper; specify requirements for advertisements published on the notice Web site and in an actual newspaper; specify rights of public and duties of local government; set out consequences of local government's failure to publish as required by law; provide penalty.

CURRENT STATUS: 4/14/2020 - delivered to Secretary of State (Acts ch. 87)

Amend KRS 65.7636 to remove the ability of Lifeline providers to bill and collect the CMRS service charge levied under the section from end users; make conforming changes; EMERGENCY.

CURRENT STATUS: 3/27/2020 - SIGNED BY GOVERNOR

Amend KRS 65A.020 to allow the Department for Local Government (DLG) to exclude certain revenues received by special purpose governmental entities that are public use airports in determining the annual fee due from those entities; amend KRS 65A.030 to allow the DLG to exclude certain receipts received by special purpose governmental entities that are public use airports in determining the requirements relating to audits and financial statements of those entities.

CURRENT STATUS: 3/24/2020 - SIGNED BY GOVERNOR
Amend KRS 65.220, establishing the purpose of KRS 65.210 to 65.300, to allow public agencies to participate in Interlocal agreements; amend KRS 65.230 to define “interlocal agency,” "local government,” and "public agency"; create a new section of KRS 65.210 to 65.300 to set protocols for establishing an interlocal agreement; amend KRS 65.240 to establish that an interlocal agreement may be for sharing revenues, add certain utilities to the list subject to an interlocal agreement, and outline purposes for which schools may enter into agreements; amend KRS 65.242 to require agreements amended only to adjust participating parties, that the agreement be sent to the Secretary of State rather than to the Department for Local Government and the Attorney General; amend KRS 65.250 to specify the contents of the agreements themselves; create a new section of KRS 65.210 to 65.300 to specify the powers exercised by interlocal agencies; amend KRS 65.255 to make technical corrections to the authority of peace officers exercising powers outside their immediate jurisdiction; amend KRS 65.260 make technical changes and specify when the Attorney General and the Department for Local Government reviews agreements, and to establish a deadline for review; amend KRS 65.270 to specify the execution and sale of bonds by public agencies and remove language dealing with income pledging for bond issuance; amend KRS 65.290 to no longer require agreements to be filed with county clerks and provide that no additional filings are require for the addition or removal of parties to the agreement; amend KRS 65.300 to make technical corrections; amend KRS 68.200, 154.22.040, and 154.32.050 to conform; add a non-codified section to specify that amendments to the Act do not invalidate interlocal agreements entered into prior to the effective date of the Act; repeal KRS 65.245 and 65.280.

CURRENT STATUS: 4/15/2020 - delivered to Governor

SB5 SPECIAL PURPOSE GOVERNMENTAL ENTITIES (ALVARADO, RALPH)

Create a new section of KRS Chapter 65A to require proposed increases in ad valorem taxes and certain fees and the levy of new ad valorem taxes or fees by special purpose governmental entities to be submitted to the legislative body of the county or city in which the special purpose governmental entity is located for review; amend various sections of the Kentucky Revised Statutes to conform; repeal KRS 65A.100; EFFECTIVE January 1, 2021.

CURRENT STATUS: 4/14/2020 - delivered to Secretary of State (Acts ch. 90)

SR108 PUBLIC SERVICE COMMISSION (SMITH, BRANDON)

Confirm the reappointment of Michael J. Schmitt as Chair of the Public Service Commission for a term expiring July 1, 2023.

CURRENT STATUS: 2/10/2020 - adopted 34-0