

2020 DAILY LEGISLATIVE UPDATE

Daily activity is highlighted in **bold** with **RED** font.

SENATE

1. **SR 93** [J. Adams](#)

Confirm the reappointment of Patrick Kelly Downard to the board of trustees of the Kentucky Retirement Systems for a term expiring June 17, 2023.

01/28/20 introduced in Senate
01/30/20 to State & Local Government(S)
02/05/20 reported favorably, to Rules as a consent bill
02/06/20 posted for passage in the Consent Orders of the Day
for Monday, February 10, 2020
02/10/20 adopted 34-0

2. **SR 234** [J. Adams](#)

Confirm the appointment of Joseph L. Grossman to the board of trustees of the Kentucky Retirement Systems for a term expiring June 17, 2022.

03/03/20 introduced in Senate
03/05/20 to State & Local Government (S)
03/11/20 reported favorably, to Rules as a consent bill
03/12/20 posted for passage in the Consent Orders of the Day for Tuesday, March 17, 2020
03/17/20 adopted 34-0

3. **SR 236** [J. Adams](#)

Confirm the appointment of Caswell Prewitt Lane to the board of trustees of the Kentucky Retirement Systems for a term expiring June 17, 2023.

03/03/20 introduced in Senate
03/05/20 to State & Local Government (S)
03/11/20 reported favorably, to Rules as a consent bill
03/12/20 posted for passage in the Consent Orders of the Day for Tuesday, March 17, 2020
03/17/20 adopted 34-0

4. [SR 237](#) [J. Adams](#)

Confirm the appointment of John Carroll Cheshire III to the board of trustees of the Kentucky Retirement Systems for a term expiring June 17, 2023.

03/03/20 introduced in Senate
03/05/20 to State & Local Government (S)
03/11/20 reported favorably, to Rules as a consent bill
03/12/20 posted for passage in the Consent Orders of the Day for Tuesday, March 17, 2020
03/17/20 adopted 34-0

5. [SR 270](#) [J. Adams](#)

Confirm the reappointment of Matthew Louis Monteiro to the board of trustees of the Kentucky Retirement Systems for a term expiring June 17, 2023.

03/12/20 introduced in Senate
03/17/20 to State & Local Government (S)
03/18/20 reported favorably, to Rules as a consent bill
03/19/20 posted for passage in the Consent Orders of the Day for Thursday, March 19, 2020
adopted 31-0

6. [SB 24](#) [J. Carroll](#), [D. Harper Angel](#), [R. Thomas](#)

Establish KRS Chapter 239 and create new sections to define "amateur athletics," "collegiate sports contest," "commission," "principal," "professional sports contest," "sports wager," and "sports wagering"; create the Kentucky Gaming Commission; establish membership to be appointed by the Governor with the advice and consent of the Senate; establish the commission's responsibilities and authority; require the Governor to appoint an executive director and establish the executive director's responsibilities; require the commission to promulgate administrative regulations relating to sports wagering conducted by the Kentucky Lottery Corporation, racing associations licensed under KRS Chapter 230, and other locations; establish licensing fees; prohibit persons from wagering on an event in which they are a participant; **establish the sports wagering distribution trust fund and the uses of the fund**; establish penalties for tampering with the outcome of a sporting event and wagering on a sporting event by a

participant; create a new section of KRS Chapter 138 to impose an excise tax on sports wagering at 25 percent of net sports wagering receipts; amend KRS 138.1817 to permit the Department of Revenue to work with the commission to restrict licensure in the event that sports wagering taxes

are not paid; amend KRS 154A.010 to revise the definition of "amateur sports contest," and to define "collegiate sports contest," "professional sports contest," "sports wager," and "sports wagering"; amend KRS 154A.030 to conform and to prohibit the director or family member from being a part owner of a professional team or a board member of a college or university that engages in collegiate sports upon which sports wagers may be placed; amend KRS 154A.050 to include sports wagering; amend KRS 154A.060 to include sports wagering and to include contracts for the purchase of goods and services necessary for sports wagering; require monthly and annual reports to be submitted to the Kentucky Gaming Commission; amend KRS 154A.063 to permit sports wagering on collegiate and professional sports contests; amend KRS 154A.065

to prohibit accepting sports wagers on the outcomes of contests involving horses; amend KRS 154A.070 to include sports wagering and require contracts to be in accord with administrative regulations of the Lottery Corporation and the Kentucky Gaming Commission; amend KRS 154A.090 to stipulate that sports wagering retailers aggrieved by a decision of the board may appeal to the Kentucky Gaming Commission; amend KRS 154A.110 to include sports wagering; stipulate that unclaimed sports wagering prize money be added to the sports wagering distribution trust fund; to prohibit sports wagers from being accepted from members or coaches of professional or collegiate team; amend 154A.120 to include sports wagering; amend KRS 154A.130 to specify net sports wagering receipts collected by lottery to be used for expenses and moneys in excess of expenses shall be dedicated to the sports wagering distribution trust fund; amend KRS 154A.400 to include sports wagering and stipulate the criteria for selecting sports wagering retailers shall be developed in consultation with the Kentucky Gaming Commission; amend KRS 154A.420 to include sports wagering and permit the Lottery Corporation to require a retailer to establish separate sports wagering electronic funds transfer accounts; amend KRS 154A.430, 154A.440, 154A.600, and 154A.650 to include sports wagering; amend KRS 230.225 to permit the Kentucky Horse Racing Commission to oversee sports wagering at licensed racing associations; amend KRS 230.370 to require administrative regulations relating to sports wagering to be developed in consultation with the Kentucky Gaming Commission; amend KRS 243.500 to exempt the conduct of sports wagering licensed or permitted under KRS Chapter 239; amend KRS 12.020 to administratively attach the Kentucky Gaming Commission to the Public Protection Cabinet.

08/20/19 Prefiled by the sponsor(s).
 01/07/20 introduced in Senate
 01/08/20 to Licensing, Occupations, & Administrative Regulations (S)

7. [SB 26](#) [D. Carroll](#)

Create a new section of KRS Chapter 18A to allow state hiring preference for employees of quasi-governmental agencies ceasing participation in the Kentucky Retirement Systems; require an

employing state agency offer an interview to all finalist entitled to preference unless five or more of the finalists are entitled to preference; require that if more than five finalists are entitled to preference, the employing state agency shall offer an interview to no fewer than five.

08/20/19 Prefiled by the sponsor(s).
 01/07/20 introduced in Senate
 01/08/20 to State & Local Government (S)

8. [SB 88](#) [W. Schroder](#)

Amend KRS 61.522 to permit a state-supported university or community college ceasing participation in the Kentucky Employees Retirement System (KERS) nonhazardous plan by June 30, 2020, under the provisions of subsection (8) of KRS 61.522 (2019 SS HB 1), to make an election to retain participation in the retirement plan for only its existing employees who began participating in the systems administered by the Kentucky Retirement Systems prior to September 1, 2008, (Tier I) and, upon its effective cessation date, cease the participation of its existing employees who began participating on or after September 1, 2008, but prior to January 1, 2014 (Tier II); vary assumed rate of return/discount rate used to determine cessation costs from 3% to 4.5% based upon university/college employers' decisions regarding payment type (lump-sum vs. installments) and based on employee type (Tier I and II) and whether those employees will continue to participate in KERS after June 30, 2020; EMERGENCY.

01/14/20 introduced in Senate
 01/16/20 to State & Local Government (S)

9. [SB 145](#) [M. McGarvey](#), [J. Adams](#), [R. Thomas](#)

Propose to amend Section 226 of the Constitution of Kentucky to authorize the General Assembly to define, permit, oversee, and regulate all forms of otherwise-permissible gaming; provide for the oversight and control of gaming by an administrative body funded by license fees and taxes levied on gaming; prior to July 2040, require 100% of gaming proceeds, in excess of the amount used to pay for an oversight administrative body of gaming, to go to the retirement systems;

provide ballot language; submit to voters for ratification or rejection.

02/05/20 introduced in Senate
02/07/20 to State & Local Government (S)

10. [SB 172](#) [D. Parrett](#)

Amend KRS 61.680 to require the Kentucky Retirement Systems to apply reciprocity for a person retiring for a second time after waiving retirement benefits to return to a full-time position covered by the Teachers' Retirement System; allow the member to use omitted service credit for determining eligibility and the amount of benefits upon subsequent retirement; make the provision retroactive to retirements on or after December 31, 2009; require the Kentucky Retirement Systems and the Teachers' Retirement System to recalculate the retired person's benefits as if the service obtained had been purchased prior to retirement.

02/13/20 introduced in Senate
02/18/20 to State & Local Government (S)

11. [SB 192](#) [W. Westerfield](#)

Amend KRS 61.637 to provide that a mayor or member of a city legislative body who is at least 62 years of age and eligible to retire from the County Employees Retirement System shall not be required to resign from his or her position as mayor or member of a city legislative body in order to begin drawing benefits from the system; provide that no additional benefits will be accumulated with any employer after the mayor's or city legislative body member's effective retirement date.

02/20/20 introduced in Senate
02/24/20 to State & Local Government (S)

12. [SB 196](#) [J. Adams](#)

Amend various sections of KRS Chapter 225 to permit, rather than mandate, the procurement of specific provider types for employee health insurance, delete reference to the Kentucky Kare standard, delete language relating to the Advisory Committee of State Health Insurance

Subscribers, specify that no provision of Chapter 304 shall apply to the public employee health insurance program except as specified, and delete references to regional contracts for state employee health insurance; amend KRS 18A.2254 to add health savings accounts as a waiver funding option, delete prohibition against using trust fund receipts earned in prior plan years in subsequent plan years, establish a solvency reserve for the trust fund, and delete reference to the Advisory Committee of State Health Insurance Subscribers; amend KRS 18A.226 to delete reference to the Advisory Committee of State Health Insurance Subscribers, add an employee of the Kentucky Retirement System, an employee of the Teachers' Retirement System, and a representative of any quasi-governmental group with 20 or more employees to the Group Health Insurance Board, and allow the Group Health Insurance Board to provide reports and information upon request; repeal KRS18A.2255 relating to the Advisory Committee of State Health Insurance Subscribers.

02/21/20 introduced in Senate
02/24/20 to State & Local Government (S)

13. [SB 216](#) [M. Nemes, P. Wheeler](#)

Amends KRS 61.637 to allow a part-time adjunct instructor for the Kentucky Fire Commission, who has not participated in the Kentucky Employees Retirement Systems prior to retirement, but is eligible to retire from the County Employees Retirement System, to retire and draw benefits without being required to resign from his or her position as part-time adjunct instructor for the Kentucky Fire Commission.

02/25/20 introduced in Senate
02/27/20 to State & Local Government (S)

14. [SB 219](#) [J. Higdon](#)

Amend KRS 21.540, 61.645, and 161.250 to require the state-administered retirement systems to publicly disclose by asset class, instead of at the manager level, the dollar value of all fees and commissions paid to managers and partnerships, including but not limited to profit sharing, carried interest, and any other partnership incentive arrangements; require that, in addition to

contracts and offering documents, all renewals or modifications of those contracts for services, goods, or property be made publicly available if purchased or utilized by the retirement system for fiscal years beginning on or after July 1, 2017; require that information withheld from public disclosure under existing statutory exemptions be redacted under a process approved by the retirement board.

02/26/20 introduced in Senate
02/28/20 to State & Local Government (S)

15. [SB 249](#) [C. McDaniel](#)

Amend KRS 61.565 to reset amortization period to a new 30-year period effective with the 2019 valuation; establish layered amortization method by requiring any increase or decrease in actuarially accrued liability after the 2019 valuation to be amortized over separate 20-year closed periods beginning with the valuation in which the increase or decrease is first recognized; amend KRS 61.510 to remove the definition of "level dollar amortization method" and define "level percentage of payroll amortization method"; provide that Kentucky Retirement Systems shall amend the 2019 actuarial valuation in accordance with the amendments to KRS 61.565 in this Act and provide updated employer contributions to the Governor and General Assembly; provide that CERS employer rate phase in is paused for one year period; EMERGENCY.

[House Committee Substitute 1](#) Repeal, reenact, and amend KRS 61.565 to change the Kentucky Employees Retirement System's (KERS) nonhazardous employer contribution payable on or after July 1, 2020, from a percentage of pay for both the normal cost contribution and the actuarially accrued liability contribution to a normal cost that is a percent of pay and an actuarially accrued liability contribution that is a set dollar amount for each individual KERS nonhazardous employer based upon the employer's percent share of the liability as of the June 30, 2019 actuarial valuation; reset the amortization period for legacy liabilities of the KERS, County Employees Retirement System (CERS), and the State Police Retirement System (SPRS) to a new 30-year period effective with the 2019 valuation and to establish layered 20 year closed amortization periods for any future annual increases or decreases in actuarially accrued liabilities after the 2019 valuation; make technical amendments and conform to a recent court opinion; amend KRS 61.510 to confirm to a recent court decision as it relates to a definition used for purposes of KRS 61.565 and to make conforming amendments; amend

KRS 212.792 to specify the allocation of retirement costs as provided by the bill in the event an independent health district ceases to exist or has a county to withdraw from the district; provide that Kentucky Retirement Systems shall amend the 2019 actuarial valuation in accordance with the amendments to KRS 61.565 in this Act and provide updated employer contributions to the Governor and General Assembly; provide that CERS employer rate phase in is paused for one year period.

03/03/20 introduced in Senate
 03/05/20 to State & Local Government (S)
 03/11/20 reported favorably, 1st reading, to Consent Calendar
 03/12/20 2nd reading, to Rules
 03/17/20 posted for passage in the Consent Orders of the Day for Tuesday, March 17, 2020
 3rd reading, passed 34-0
 03/18/20 received in House
 taken from Committee on Committees (H)
 1st reading
 to Appropriations & Revenue (H)
 posting waived
03/19/20 reported favorably, 2nd reading, to Rules with Committee Substitute (1)

16. [SB 254](#) [W. Schroder](#)

Create a new section to close the Legislators' Retirement Plan and Judicial Retirement Plan to new members effective August 1, 2020; amend KRS 6.500, 6.505, 21.350, 21.360, and 61.680 to conform.

03/03/20 introduced in Senate
 03/05/20 to State & Local Government (S)

17. [SB 260](#) [D. Thayer](#)

Amend KRS 61.526 to make language gender-neutral.

03/04/20 introduced in Senate
 03/06/20 to State & Local Government (S)

HOUSE**1. HB 7** [A. Gentry](#), [T. Bojanowski](#), [K. Flood](#), [J. Jenkins](#), [D. Schamore](#), [M. Sorolis](#), [C. Stevenson](#)

Create a new section of KRS Chapter 154A to state the findings of the General Assembly; amend KRS 154A.010 to define, "authorizing location," "casino," "county," "county legislative body," "department," "full casino gaming," "gaming licensee," "gross gaming revenue," "handle," "licensee," "limited casino gaming," and "principal"; amend KRS 154A.030 to expand the Lottery Corporation board membership and duties; amend KRS 154A.040 to include casino licensees; amend 154A.063 to remove prohibition against casino gaming; create new sections of KRS Chapter 154A to require a local option election in any precinct wanting to host a casino; describe the duties of the county clerk and sheriff in a casino gaming local option election; state requirements for local option elections held on a day other than a regular election day; require the corporation to advertise an invitation to bid for casinos; require the corporation to evaluate all proposals for full casinos; establish initial licensing fees for full casinos at \$50 million with an initial licensing period of ten years and annual renewal thereafter at \$6 million per year; permit

limited casino gaming at horse racing tracks licensed under KRS Chapter 230; establish requirements for limited casinos; establish requirements for any track holding a limited casino license; establish requirements for principals of any corporation granted a casino license; create license application requirements for casino, manufacturer's, or supplier's licenses; prohibit anyone not licensed from selling, leasing, or otherwise furnishing gaming supplies; prohibit

anyone under the age of 21 from participating in casino gaming; require the Lottery Corporation to determine occupations related to casino gaming that require licensure and establish criteria for occupational licensing; permit the corporation to initiate disciplinary action against applicants and license holders; establish an appeal process; create new sections of KRS Chapter 138 to establish wagering and admissions taxes to be remitted by gaming licensees and full and limited casinos; **create new sections of KRS Chapter 154A to establish the casino gaming revenue distribution trust fund and limit that money to the benefit of the state retirement systems for the first ten years**; establish the regional tourism and infrastructure development fund and provide criteria for projects seeking money from the fund; waive 15 U.S.C. secs. 1172, 1173, and 1174 for devices authorized by this Act; require the corporation to promulgate administrative regulations to define and limit games and devices permitted for gaming in casinos; provide guidelines for exclusion or ejection of certain persons; define “cheat” and provide penalties for those who cheat at casino games; amend KRS 243.500 to exempt limited or full casino gaming; amend KRS 525.090 to exempt persons engaged in casino gaming; amend KRS 528.010 to exempt gambling activity and devices licensed under KRS Chapter 154A; amend KRS 528.020 to conform; amend KRS 528.070 to exempt activity licensed under KRS Chapter 154A; amend KRS 528.080 to exempt those with the appropriate license required under KRS Chapter 154A; amend KRS 528.100 to exempt limited or full casino gaming licensed under KRS Chapter 154A; APPROPRIATION; EFFECTIVE DATE DELAYED.

05/08/19 Prefiled by the sponsor(s).
 01/07/20 introduced in House
 to Licensing, Occupations, & Admin Regs (H)

2. [HB 89](#) [J. Tipton, D. Graham, J. Graviss](#)

Amend KRS 61.545 to provide that if a member is working in a regular full-time hazardous duty position that participates in the Kentucky Employees Retirement System or the County Employees Retirement System and is simultaneously employed in a nonhazardous position that

is not considered regular full-time, the member shall participate solely as a hazardous duty member and shall not participate under the nonhazardous position unless he or she makes an election within 30 days of taking employment in the nonhazardous position; amend KRS 61.680 to conform; specify that provisions shall only apply to prospective nonhazardous employment occurring on or after the effective date of the Act.

[House Committee Substitute 1](#) Retain original provisions, except to specify that the part-time nonhazardous employment must be with a different participating employer and that the provisions shall only apply to initial employment in a part-time nonhazardous position.

11/12/19	Prefiled by the sponsor(s).
01/07/20	introduced in House To State Government (H)
01/13/20	posted in committee
01/16/20	reported favorably, 1st reading, to Calendar with Committee Substitute (1)
01/17/20	2nd reading, to Rules
01/22/20	posted for passage in the Regular Orders of the Day for Thursday, Jan 23, 2020
01/23/20	3rd reading, passed 93-0 with Committee Substitute (1)
01/24/20	received in Senate
01/27/20	to State & Local Government (S)

3. [HB 104](#) [B. Wheatley](#), [K. Banta](#), [T. Bojanowski](#), [G. Brown Jr](#), [D. Graham](#), [J. Graviss](#), [J. Jenkins](#), [C. Massey](#), [C. Miller](#), [S. Santoro](#), [J. Tipton](#), [S. Westrom](#)

Amend KRS 61.542 to allow a retiree who experiences a qualifying event, including marriage, remarriage, the birth or adoption of a child, or the death of a designated beneficiary, to elect to change his or her beneficiary and optional payment plan provided the election is made within 120 days of the qualifying event on a form prescribed by the Kentucky Retirement Systems and provide that in the case of a divorce, annulment, or dissolution of marriage, the retiree's estate shall become the beneficiary; amend KRS 61.590, 61.615, and 61.630 to conform; amend KRS 161.630 to expand the qualifying events for which a retiree may elect to change his or her beneficiary and optional payment plan to include a birth or adoption of a child in addition to marriage, remarriage, and the death of a beneficiary, require that the election be made within 120 days of the qualifying event on a form prescribed by the Teachers' Retirement System, and make technical corrections; amend KRS 161.480 to conform.

[House Committee Substitute 1](#) Retain original provisions; amend KRS 61.542 to require that

a retirement allowance that results from a retired member who experiences a qualifying event changing his or her beneficiary and optional payment plan be actuarially equivalent to the present value of the amount of the retirement allowance payable to the retired member prior to the change in beneficiary and optional payment plan.

[House Floor Amendment 1](#) Retain original provisions; provide that a retiree, who has experienced a qualifying event prior to the effective date of this Act, may elect to change beneficiaries and choose new optional payment plan.

11/18/19	Prefiled by the sponsor(s).
01/07/20	introduced in House to State Government (H)
01/13/20	posted in committee
02/13/20	reported favorably, 1st reading, to Calendar with Committee Substitute (1)
02/14/20	2nd reading, to Rules
02/19/20	posted for passage in the Regular Orders of the Day for Thursday, February 20, 2020
02/20/20	floor amendment (1) filed to Committee Substitute
02/25/20	3rd reading, passed 88-0 with Committee Substitute (1) and floor amendment (1)
02/26/20	received in Senate
02/28/20	to State & Local Government (S)

4. [HB 137](#) [A. Koenig](#), [A. Gentry](#), [K. Banta](#), [T. Bojanowski](#), [C. Booker](#), [G. Brown Jr](#), [T. Burch](#), [J. Donohue](#), [K. Flood](#), [J. Glenn](#), [D. Graham](#), [J. Graviss](#), [C. Harris](#), [A. Hatton](#), [K. Hinkle](#), [C. Howard](#), [J. Jenkins](#), [M. Koch](#), [N. Kulkarni](#), [C. Massey](#), [C. McCoy](#), [C. Miller](#), [J. Miller](#), [P. Minter](#), [K. Moser](#), [J. Nemes](#), [R. Palumbo](#), [J. Raymond](#), [S. Santoro](#), [J. Sims Jr](#), [M. Sorolis](#), [C. Stevenson](#), [S. Westrom](#), [B. Wheatley](#), [R. Wiederstein](#), [L. Willner](#)

Establish KRS Chapter 239 and create new sections to define “adjusted gross revenue,” “beginner,” “cabinet,” “confidential information,” “entry fee,” “fantasy contest,” “fantasy contest operator,” “fantasy contest participant”, “highly experienced player,” “immediate family,” “location percentage,” “person,” “principal stockholder,” “registered fantasy contest operator,” “script,” “secretary,” and “wager”; establish requirements for registration as a fantasy contest operator; require the cabinet to promulgate administrative regulations for the operation of fantasy contests; **establish the wagering administration fund and direct the uses of that fund**; establish the Kentucky problem gambling assistance account and direct the uses of that account; require an annual audit of fantasy contest registrants; establish requirements for fantasy contest procedures; amend KRS 230.210 to define "professional sports venue" and "sports wagering"; create new sections of KRS Chapter 230 to require the racing commission to institute a system of sports wagering at tracks and other specified locations; limit the types of events upon which wagers may be placed; amend KRS 230.215 to declare the intent to allow citizens to enjoy sports wagering and allow the racing commission to promulgate administrative regulations prescribing conditions under which sports wagering is to be conducted; amend KRS 230.225, 230.240, and 230.260 to include sports wagering; create a new section of KRS Chapter 230 to establish sports wagering licensure requirements; amend KRS 230.320 to conform; amend KRS 230.361 to include sports wagering; amend KRS 230.3615 to conform; create a new section of KRS Chapter 138 to define “adjusted gross income” and impose a tax on sports wagering; amend KRS 230.362, 230.363, 230.364, 230.365, 230.366, 230.369, 230.371, 230.372, 230.373, 230.374, and 230.750 to conform; create a new section of KRS Chapter 230 to prohibit participants from wagering on events in which they participate and to prohibit tampering with the outcome of a sporting event; amend KRS 230.990 to provide penalties for participants who wager on sporting events or tamper with the outcome of a sporting event; amend KRS Chapter 154A.010 to define “net poker revenue,” “online poker,” and “rake”; amend KRS 154A.050 and

154A.060 to include conducting online poker games; amend KRS 154A.063 to delete restriction

on playing cards and where winners are based on the outcome of a sports contest; amend KRS 154A.070 to include online poker; amend 154A.110 to prohibit anyone under 18 from placing a wager through an online poker game; amend KRS 154A.120 to include online poker; amend KRS 154A.130 to exempt online poker; create new sections of KRS Chapter 154A to require licensure for online poker games; require the Lottery Corporation to promulgate requirements in conformance with federal law for providers through administrative regulations; establish licensing fees; impose a gaming fee on providers; establish the Kentucky Lottery Corporation online poker account and provide for the uses of the funds deposited therein; amend KRS 154A.600 to include online poker; amend KRS 243.500 to exempt sports wagering and online poker; amend KRS 525.090 to exempt sports wagering; amend KRS 528.010 to exempt fantasy contests, sports wagering, and online poker and the devices used in the conduct of those forms of wagering; amend KRS 528.020, 528.070, and KRS 528.080 to exempt fantasy contests, sports wagering, and online poker; create a noncodified section to assert that the provisions of the Act are severable.

[House Committee Substitute 1](#) Add definitions of "net poker revenue," "online poker," and "rake" to KRS Chapter 239; remove oversight of online poker from the Lottery Corporation and place online poker under the Public Protection Cabinet in newly created sections of KRS Chapter 239; segregate sports wagering from advanced deposit wagering; establish a January 1, 2022 end point for the requirement to download the sports wagering phone application at a licensed venue; remove the prohibition on wagering on Kentucky collegiate teams; delete the provision for the professional sports leagues to submit names for consideration for membership on the Kentucky Horse Racing Commission.

[House Committee Substitute 1](#) Add definitions of "net poker revenue," "online poker," and "rake" to KRS Chapter 239; remove oversight of online poker from the Lottery Corporation and place online poker under the Public Protection Cabinet in newly created sections of KRS Chapter 239; segregate sports wagering from advanced deposit wagering; establish a January 1, 2022 end point for the requirement to download the sports wagering phone application at a licensed venue; remove the prohibition on wagering on Kentucky collegiate teams; delete the provision for the professional sports leagues to submit names for consideration for membership on the Kentucky Horse Racing Commission.

[House Floor Amendment 1](#) Amend KRS 230.225 to require members of the Kentucky Horse

Racing Commission to comply with the Executive Branch Code of Ethics.

[House Floor Amendment 2](#) Amend Section 13 to remove the statement of policy and intent on sports wagering and the Kentucky Horse Racing Commission.

[House Floor Amendment 3](#) Amend Section 4 to clarify that five percent of all funds deposited into the wagering administration fund shall be allocated to the Kentucky problem gambling assistance account prior to any other allocation of moneys from the wagering administration fund, the remaining funds shall be dedicated to the Kentucky permanent pension fund after necessary administrative expenses.

[House Floor Amendment 4](#) Amend Section 1 to clarify the definition of "adjusted gross revenue"; amend Section 3 to require a criminal background check and to ensure that fantasy contest operators already operating in the Commonwealth may continue to operate until initial licensure is received or denied; amend Section 6 to specify that the audit required is a financial audit and shall be submitted to the cabinet within 270 days of the end of the operator's fiscal year; amend Section 7 to clarify requirements for segregation of funds and to remove the prohibition on university or college events and to clarify that officers and directors of registrants are prohibited from participating in public contests; amend Section 11 to clarify that individuals shall be at least 18 before being able to place wagers; create a new Section 34 to ensure that employees of sports wagering licensees shall not wager on technology associated with the licensee with which he is employed.

[House Floor Amendment 5](#) Amend Section 10 of the House Committee Substitute to revise the definition of "sports wagering."

[House Floor Amendment 6](#) Amend Section 3 and KRS 230.330 and 230.368 to stipulate that any applicant aggrieved by a final order of the racing commission shall appeal the action in any Circuit Court that is greater than 60 miles distance from any race track licensed under KRS Chapter 230.

[House Floor Amendment 7](#) Create a new section of KRS chapter 239 to allow local governments to prohibit fantasy contests, online poker, or sports wagering by local ordinance and require geographical software on smart phone or online applications to be amended to reflect the prohibition.

[House Floor Amendment 8](#) Increase fantasy contest renewal fee from six (6) percent to nine

(9) percent; increase the gaming fee on online poker from 6.75% to 10%; increase the tax on sports wagers placed at licensed tracks or professional sports venues from 9.75% to 14%; and increase the tax on sports wagers placed online or via smart phone from 14.25% to 21%.

[House Floor Amendment 9](#) Amend to change funding rate to Kentucky problem gambling assistance account to 15 percent.

[House Floor Amendment 10](#) Amend KRS 230.260 to require the Kentucky Horse Racing Commission to comply with all open records requests and impose a penalty equal to three times the legal fees of parties bringing the open records request if found to be in violation.

[House Floor Amendment 11](#) Amend Section 11 to increase locations licensed to offer sports wagering to include lottery retailers, restaurants where at least 70 percent of food and beverage sales comes from the sale of food, and any other secure location deemed appropriate by the commission.

[House Floor Amendment 12](#) Increase fantasy contest renewal fee from six (6) percent to 12%; increase the gaming fee on online poker from 6.75% to 13.5%; increase the tax on sports wagers placed at licensed tracks or professional sports venues from 9.75% to 19.5%; and increase the tax on sports wagers placed online or via smart phone from 14.25% to 28.5%.

[House Floor Amendment 13](#) Increase fantasy contest renewal fee from six (6) percent to 18 percent; increase the gaming fee on online poker from 6.75 % to 20.25 %; increase the tax on sports wagers placed at licensed tracks or professional sports venues from 9.75 % to 29.25 % and increase the tax on sports wagers placed online or via smart phone from 14.25 % to 42.25 %.

[House Floor Amendment 14](#) Amend KRS 230.215 to declare the policy of the Commonwealth that any information provided to the racing commission concerning pari-mutuel racing or sports wagering shall be deemed to be a public record subject to open records provision.

[House Floor Amendment 15](#) Amend to change funding rate to Kentucky problem gambling assistance account to seven and one-half percent (7.5%).

[House Floor Amendment 16](#) Amend to change funding rate to Kentucky problem gambling assistance account to 10 percent.

[House Floor Amendment 17](#) Amend KRS 230.260 to require the Kentucky Horse Racing Commission to comply with all open records requests and impose a penalty equal to three

times the legal fees of parties bringing the open records request if found to be in violation.

[House Floor Amendment 18](#) Amend Section 1 by deleting definitions for "net poker revenue," "online poker," and "rake"; delete Sections 8 and 9 from the bill to remove provisions for online poker; make conforming amendments throughout.

12/05/19 Prefiled by the sponsor(s).
 01/07/20 introduced in House
 to Licensing, Occupations, & Admin Regs (H)
 01/08/20 posted in committee
 01/15/20 reported favorably, 1st reading, to Calendar with Committee Substitute (1)
 01/16/20 2nd reading, to Rules
 posted for passage in the Regular Orders of the Day for Friday, Jan 17, 2020
 01/21/20 floor amendments (1) and (2) filed to Committee Substitute
 01/22/20 floor amendment (3) filed to Committee Substitute
 01/23/20 floor amendment (4) filed to Committee Substitute
 02/05/20 floor amendment (5) filed to Committee Substitute
 02/11/20 floor amendments (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) and (16) filed
 to Committee Substitute
 02/12/20 floor amendment (17) filed to Committee Substitute
 02/13/20 floor amendment (17) withdrawn
 02/21/20 floor amendment (18) filed to Committee Substitute
 03/17/20 recommitted to Licensing, Occupations, & Admin Regs (H)

5. [HB 143](#) [J. Tipton](#), [R. Bridges](#), [G. Brown Jr](#), [J. DuPlessis](#), [D. Graham](#), [J. Graviss](#), [D. Hale](#), [C. Harris](#), [M. Hart](#), [D. Lewis](#), [S. Lewis](#), [C. Massey](#), [P. Pratt](#), [M. Prunty](#), [D. Schamore](#), [S. Westrom](#)

Amend KRS 18A.355 to provide for an annual cost of living adjustment for state employees with the cost of living adjustment being the average of the consumer price index for the two calendar years prior to the biennium and not less than zero; and amend KRS 18A.110 to conform.

12/09/19 Prefiled by the sponsor(s).
 01/07/20 introduced in House
 to State Government (H)
 01/13/20 posted in committee
 02/06/20 reported favorably, 1st reading, to Calendar
 02/07/20 2nd reading, to Rules
 02/11/20 recommitted to Appropriations & Revenue (H)

6. [HB 148](#) [C. Howard](#), [C. Booker](#), [M. Marzian](#)

Establish KRS Chapter 245 and create a section to define terms such as "cannabis accessory", "cannabis product", "immature cannabis plant", "indoor cultivator", "mature cannabis plant", and "outdoor cultivator"; create new sections of KRS Chapter 245 to require cannabis to be tracked from seed to consumer; establish license types, application fees, and license fees, and to direct license fees to the permanent pension fund; define sizes for cultivator license types; specify allowed transactions for each license type; set parameters for the home grower permit; require the board to promulgate an administrative regulation for license applications; set license length at one year and allow the board to establish renewal system; limit cannabis retail locations to one for every two thousand three hundred persons per county; require cannabis retail stores to be separate from other store and only carry cannabis, cannabis products, and cannabis accessories; create requirements for child-proof packaging and labeling; establish procedures for license denial and a hearing in accordance with KRS Chapter 13B; establish payments in lieu of suspension for licensees and direct the funds to the permanent pension fund and the agency's revolving trust and agency account; establish minimum age of twenty-one to use or buy cannabis and create status offense for minors under eighteen; ban smoking cannabis in public; and require signs in retail locations regarding minors and the US Surgeon General's statement on cannabis; create new sections of KRS Chapter 138 to define "cannabis", "cannabis administrator", and "cannabis product"; set wholesale tax rates and payment schedules for cannabis cultivator and processor licensees, allow local governments to impose up to a 5% regulatory license fee on cannabis licensees in their territory; establish conditions for tax liability; impose civil penalties for tax violations; create a new section of KRS Chapter 245 to set conditions for the cannabis tax rates effective July 1, 2026 and beyond; amend KRS 2.015 to exempt cannabis from age of majority; **amend KRS 42.205 to include licensing and permit fees, payments in lieu of suspension, and moneys from wholesale taxes to go to the permanent pension fund and to be distributed quarterly to KERS nonhazardous and TRS funds**; amend KRS 241.020 to include a Division of Cannabis in the Department of Alcoholic Beverage Control; amend KRS 241.030 to add administrator of the Division of Cannabis; amend KRS 241.060 to add supervision of the cultivation, processing, testing, and trafficking of cannabis to the board's duties; amend KRS

241.090 to add cannabis to search provisions; amend KRS 243.025 to direct application fees for cannabis licenses into the agency revolving trust account; amend KRS 218A.1421 to exempt cannabis licenses from trafficking statute; amend KRS 218A.1422 to exempt one ounce of marijuana from possession statute; amend KRS 218A.1423 to permit cannabis cultivator licensees and home grower permits to cultivate under their license or permit; amend KRS 218A.500 to exclude cannabis accessories from drug paraphernalia; create a new section of KRS Chapter 431 to create process for expungement of marijuana misdemeanor charges and to waive fees; amend KRS 431.079 to exclude need for certification of eligibility for expungement; amend KRS 131.1815 to include cannabis licensees in delinquent taxpayer statute; amend KRS 600.020 to include cannabis offenses in the definition of status offense; amend KRS 12.020 to create Division of Cannabis within the Department of Alcoholic Beverage Control.

12/09/19 Prefiled by the sponsor(s).
 01/07/20 introduced in House
 to Judiciary (H)

7. [HB 171](#) J. DuPlessis, J. Graviss, J. Miller, S. Sheldon, J. Tipton

Repeal, reenact, and amend KRS 61.565 to change the Kentucky Employees Retirement System's nonhazardous employer contribution payable on or after July 1, 2020, from a percentage of pay for both the normal cost contribution and the actuarially accrued liability contribution to a normal cost that is a percent of pay and an actuarially accrued liability contribution that is a set dollar amount; provide that the set dollar amount for the actuarially accrued liability contribution for KERS nonhazardous funds shall be allocated to each individual employer based upon the employer's percent share of the liability as of the June 30, 2019 actuarial valuation and shall be paid by employers in equal installments monthly; provide criteria for when adjustments to the dollar value and percent share may occur; make technical, clerical, and conforming amendments and to conform to a recent court decision; create a new section of KRS Chapter 42 to establish the Kentucky retirement contribution assistance fund;

provide that the purpose of the fund shall be to assist health departments, community mental health centers, and certain other quasi-governmental employers in the Kentucky Employees Retirement System with financial assistance in paying employer contribution rates to the system; specify that funds shall be disbursed by the state budget director and provide criteria for disbursement; amend KRS 61.510 to confirm to a recent court decision as it relates to a definition used for purposes of KRS 61.565; provide that Kentucky Retirement Systems shall amend the 2019 actuarial valuation in accordance with the amendments to KRS 61.565 in this Act and provide updated employer contributions to the Governor and General Assembly; APPROPRIATION; EMERGENCY.

[House Committee Substitute 1](#) Retain original provisions except to: reset the unfunded liability amortization period for nonhazardous employers in the Kentucky Employees Retirement System to 27 years in the 2019 actuarial valuation (currently 24 years); to remove Section 2 relating to the Kentucky retirement contribution assistance fund; and to make technical and conforming amendments. APPROPRIATION. EMERGENCY

[House Floor Amendment 1](#) Retain original provisions except to: provide that a single rate shall be provided for agencies in the legislative and judicial branch who participate in the Kentucky Employees Retirement System (KERS); provide that if a KERS employer merges, splits, separates, or establishes a new agency, the systems shall have full authority to allocate the costs to any employer or entity that results from the split, separation, or establishment of a new agency; amend KRS 212.792 to specify the allocation of retirement costs as provided by the bill in the event an independent health district ceases to exist or has a county to withdraw from the district; APPROPRIATION; EMERGENCY.

12/12/19	Prefiled by the sponsor(s).
01/07/20	introduced in House to State Government (H)
01/13/20	posted in committee
02/06/20	reported favorably, 1st reading, to Calendar with Committee Substitute (1)
02/07/20	2nd reading, to Rules
02/10/20	posted for passage in the Regular Orders of the Day for Tuesday, February 11, 2020
02/12/20	floor amendment (1) filed to Committee Substitute
02/13/20	3rd reading, passed 90-0 with Committee Substitute (1) and floor amendment (1)
02/14/20	received in Senate
02/20/20	to State & Local Government (S)
03/18/20	taken from State & Local Government (S)

1st reading
returned to State & Local Government (S)
03/19/20 taken from State & Local Government (S)
2nd reading
returned to State & Local Government (S)

8. [HB 181](#) [A. Gentry](#), [T. Bojanowski](#), [G. Brown Jr.](#), [M. Sorolis](#), [C. Stevenson](#)

Propose to amend Section 226 of the Constitution of Kentucky to authorize the General Assembly to define, permit, and regulate casino gaming; require that proceeds be used to pay for oversight of casino gaming; mandate that 100 percent of proceeds in excess of oversight costs go to specified retirement systems prior to July 1, 2040; allow the General Assembly to allocate all proceeds in excess of oversight costs after July 1, 2040; submit to voters.

12/13/19 Prefiled by the sponsor(s).
 01/07/20 introduced in House
 to Elections, Const. Amendments & Intergovernmental Affairs (H)

9. [HB 194](#) [J. Miller](#), [J. DuPlessis](#), [G. Brown Jr.](#), [T. Burch](#), [K. Flood](#), [D. Lewis](#), [R. Rand](#), [S. Sheldon](#), [J. Sims Jr.](#), [J. Tipton](#), [S. Westrom](#)

Amend KRS 6.350 to establish additional requirements for the completion of the actuarial analysis required for bills pertaining to state-administered retirement systems; specify additional requirements to be projecting costs/savings over a 30 year period rather than 20

years, completing the analysis in a format established by the Legislative Research Commission, and requiring the front page of the analysis to include summary information.

[House Floor Amendment 1](#) Retain original provisions; provide that when the General Assembly is not in session and a pension bill has been pre-filed, the Legislative Research Commission (LRC) shall not transmit the request for an actuarial analysis unless authorized by the House Speaker or President of the Senate; provide that when the General Assembly is in session and a pension bill is filed, the retirement systems or its actuary shall not begin completion of an actuarial analysis on the bill until the LRC director or his or her designee notifies the system that the bill has been posted in committee or will be on a Senate committee agenda.

01/07/20	introduced in House
01/09/20	to State Government (H)
01/13/20	posted in committee
01/16/20	reported favorably, 1st reading, to Calendar
01/17/20	2nd reading, to Rules
01/23/20	posted for passage in the Regular Orders of the Day for Friday, January 24, 2020
01/27/20	floor amendment (1) filed
01/28/20	3rd reading, passed 60-35 with floor amendment (1)
01/29/20	received in Senate
01/31/20	to State & Local Government (S)
03/17/20	taken from State & Local Government (S) 1st reading
	returned to State & Local Government (S)
03/18/20	taken from State & Local Government (S) 2nd reading
	returned to State & Local Government (S)

KENTUCKY RETIREMENT SYSTEMS HOUSEKEEPING BILL

10. [HB 207](#) [J. Miller](#)

Housekeeping legislation for the Kentucky Retirement Systems; amend KRS 16.578 and 61.640 to apply the alternate death calculation to and reinstate the life annuity, 60 months certain, actuarial refund, and Social Security adjustment retirement options as written prior to 2009 legislation; amend KRS 61.598 to establish a minimum salary increase of 10% plus \$1,000 over the prior year's salary in order for employee anti-pension spiking measures to apply; amend

KRS 61.645 to remove requirement that Kentucky Retirement Systems' board election ballots be returned to a Kentucky post office box, rather than out-of-state vendor, remove requirement that ballot counting vendor be an actuarial firm, and make other conforming changes; amend KRS 61.510, 61.637, and 78.510 to change period under which reemployment

of retiree would void status as a volunteer from 24 months to 12 months consistent with other retired reemployed categories; amend KRS 61.540 to remove requirement that failure to file statement of facts by member and employer will result in no benefits paid in order to conform language to other provisions in chapter; amend KRS 61.565 to use as maximum the rate for employers participating in the County Employees Retirement System, a factor of 1.12 over the prior fiscal year's contribution rate instead of language referencing projected dollars.

01/08/20	introduced in House
01/10/20	to State Government (H)
01/21/20	posted in committee
01/23/20	reported favorably, 1st reading, to Calendar
01/24/20	2nd reading, to Rules
01/27/20	posted for passage in the Regular Orders of the Day for Tuesday, January 28, 2020
01/29/20	3rd reading, passed 91-0
01/30/20	received in Senate
02/03/20	to State & Local Government (S)

11. [HB 235](#) [J. Graviss](#)

Repeal the provisions of SB 151 enacted in 2018 that were declared unconstitutional and void by the Kentucky Supreme Court; reenact and amend those provisions to return them to their original pre-SB 151 language; make technical and conforming changes.

01/09/20 introduced in House
01/13/20 to State Government (H)

12. [HB 262](#) [M. Hart](#), [S. Maddox](#), [K. Banta](#), [P. Pratt](#)

Amend KRS 61.522 to permit a state-supported university or community college ceasing participation in the Kentucky Employees Retirement System (KERS) nonhazardous plan by June 30, 2020, under the provisions of subsection (8) of KRS 61.522 (2019 SS HB 1), to make an election to retain participation in the retirement plan for only its existing employees who began participating in the systems administered by the Kentucky Retirement Systems prior to September 1, 2008, (Tier I) and, upon its effective cessation date, cease the participation of its existing employees who began participating on or after September 1, 2008, but prior to January 1, 2014 (Tier II); vary assumed rate of return/discount rate used to determine cessation costs from 3% to 4.5% based upon university/college employers' decisions regarding payment type (lump-sum vs. installments) and based on employee type (Tier I and II) and whether those employees will continue to participate in KERS after June 30, 2020; EMERGENCY.

01/15/20 introduced in House
01/17/20 to State Government (H)

13. [HB 270](#) [J. Tipton](#), [K. King](#)

Create a new section of KRS Chapter 6.500 to 6.577 to close the Legislators' Retirement Plan (LRP) to new members effective July 1, 2020, and to provide that new legislators shall participate in the Kentucky Employees Retirement System (KERS) for the duration of their

legislative service; clarify that legislators who are also teachers contributing to the Teachers' Retirement System (TRS) may continue to participate in TRS while serving as a member of the General Assembly; provide that Legislators' Retirement Plan (LRP) members who entered the plan on or after 1/1/2014 and who are participating in the LRP cash balance plan shall have their account balance transferred to the KERS hybrid cash balance plan and shall prospectively participate in KERS for the duration of their legislative service; amend KRS 6.505 to provide that legislative changes that are enacted on or after July 1, 2020, for the Legislators' Retirement Plan shall not be part of the "inviolable contract" and to make conforming amendments; amend KRS 6.520 to provide that the LRP benefit factor for the traditional defined benefit plan shall be lowered from 2.75% to 1.97% for service accrued on or after July 1, 2020; amend KRS 6.525 to provide that non-legislative compensation earned in another state-administered retirement system on or after July 1, 2020, shall not be used to calculate benefits in the Legislators' Retirement Plan; amend KRS 21.525 to provide that the Judicial Form Retirement System shall not request nor receive any funding for the Legislators' Retirement Plan (LRP), except for administrative expenses, until such time the LRP plan has an actuarial funding level equal to or less than the KERS nonhazardous pension fund; amend KRS 61.510 to provide that for any service to the General Assembly that is credited to the Kentucky Employees Retirement System, no compensation earned for other covered public employment shall be used to determine the portion of their benefit related to their service to the General Assembly; amend KRS 6.500, 21.402, and 61.680 to conform and to restore/remove language due to a recent court ruling; EMERGENCY.

[House Committee Substitute 1](#) Retain original provisions; make technical amendment.

01/16/20	introduced in House
01/21/20	to State Government (H)
01/28/20	posted in committee
02/06/20	reported favorably, 1st reading, to Calendar with Committee Substitute (1)
02/07/20	2nd reading, to Rules
02/11/20	recommitted to Appropriations & Revenue (H)

14. [HB 271](#) [J. Blanton](#), [C. Massey](#), [S. Santoro](#)

Amend KRS 16.601 and 61.621 to remove provisions which reduce line of duty or duty-related death benefits upon remarriage; establish non-codified sections to: provide that an eligible surviving spouse who has subsequently remarried shall have their benefit increased; provide that an eligible surviving spouse of a member whose death was determined by the systems to be a direct result of an act in line of duty or a duty-related injury, but chose to receive monthly death benefits in lieu of line of duty benefits, shall receive line of duty or duty-related death monthly benefits; provide that Kentucky Retirement System shall establish process by which a surviving spouse of a member who died prior to retirement and prior to April 13, 2018, may apply for the line of duty death benefits; EMERGENCY

[House Floor Amendment 1](#) Retains original provisions; provides that an eligible surviving spouse of a member who died in the line of duty, who remarried prior to April 13, 2018, shall have monthly benefit increased. EMERGENCY.

01/16/20	introduced in House
01/21/20	to State Government (H)
01/28/20	posted in committee
01/30/20	reported favorably, 1st reading, to Calendar floor amendment (1) filed
01/31/20	2nd reading, to Rules
02/03/20	posted for passage in the Regular Orders of the Day for Tuesday, February 4, 2020
02/05/20	3rd reading, passed 91-0 with floor amendment (1)
02/06/20	received in Senate
02/10/20	to State & Local Government (S)
03/17/20	taken from State & Local Government (S) 1st reading returned to State & Local Government (S)
03/18/20	reported favorably, 2nd reading, to Rules as a consent bill
03/19/20	posted for passage in the Consent Orders of the Day for Thursday, March 19, 2020 3rd reading, passed 31-0 received in House enrolled, signed by Speaker of the House enrolled, signed by President of the Senate delivered to Governor

15. [HB 305](#) [C. Massey](#), [S. Santoro](#), [J. Graviss](#), [R. Rothenburger](#), [B. Wheatley](#)

Create various sections of KRS Chapter 65 to define terms; establish procedures for the creation of a consolidated emergency services district; authorize that certain local government officials shall appoint the board of trustees of the district; provide a formula for determining the number of elected members, qualifications of elected members, terms, non-partisan elections, nomination procedures, removal, and district apportionment requirements; establish officers of the district and compensation of officers; provide \$100 per day to appointees, elected members compensated pursuant to KRS 64.527; establish the

quorum of the board; establish an advisory committee, number, qualifications of appointees, duties of committee and compensation of members; exceed \$0.30 per \$100 valuation, allow for ballot question for expanded taxation for additional services to be provided, and provide that the additional tax may be either an ad valorem or occupational license tax; allow the board to levy an insurance premium tax or an occupation and license tax; declare that upon creation of a district, the board assumes all duties, responsibilities, and liabilities of former departments or districts, former jurisdictions to be special taxing districts until indebtedness is relieved and that all previously entered into interlocal agreements shall remain in force for their duration; set requirements relating to CERS; amend KRS 65.180 to define consolidated emergency services district as a "taxing districts"; amend KRS 68.180 to grant districts in counties over 300,000 the power to levy a license and occupation tax; amend KRS 68.197 to grant districts in counties over 30,000 the power to levy a license and occupation tax; amend KRS 75.020 to include creation of a district within the definition of merger; amend KRS 78.530 to allow for any districts, not all to be excluded from the provisions; amend KRS 91A.080 to include consolidated emergency services districts; amend KRS 95A.500 to allow the district to receive qualified shares of merged fire districts; amend KRS 118.305 to place elected trustees on ballot; amend KRS 118.315 to include nominating petitions for elected trustees; amend KRS 134.119 to provide that the sheriff shall be compensated for collecting taxes for consolidated emergency service districts; APPROPRIATION.

01/21/20 introduced in House
 01/23/20 to Local Government (H)
 01/24/20 posted in committee

16. [HB 349](#) [J. Graviss](#)

Create a new section of KRS 6.500 to 6.577 to close the Legislators' Retirement Plan (LRP) to new members effective July 1, 2020, and to provide that new legislators shall participate in the Kentucky Employees Retirement System (KERS) for the duration of their legislative service; clarify that legislators who are also teachers contributing to the Teachers' Retirement System (TRS) may continue to participate in TRS while serving as a member of the General Assembly; provide that LRP members who entered the plan on or after January 1, 2014, and who are participating in the LRP cash balance plan shall have their account balance

transferred to the KERS hybrid cash balance plan and shall prospectively participate in KERS for the duration of their legislative service; repeal, reenact, and amend KRS 6.520 to allow a member of LRP in the traditional defined benefit plan to elect to have their benefit factor lowered from 2.75% to 1.97% for service accrued on or after July 1, 2020; repeal, reenact, and amend KRS 6.525 to provide that a member in the LRP traditional defined benefit plan may elect to not include any non-legislative compensation earned in another state-administered retirement system on or after July 1, 2020, in the calculation of their LRP benefits; amend KRS 21.525 to provide that the Judicial Form Retirement System shall not request or receive any funding for the LRP, except for administrative expenses, until the LRP plan has an actuarial funding level equal to or less than the KERS nonhazardous pension fund; amend KRS 61.510 to provide that for any service to the General Assembly that is credited to the Kentucky Employees Retirement System, a member may elect compensation earned for other covered public employment which shall not be used to determine the portion of their benefit related to their service to the General Assembly; amend KRS 6.500 to conform; repeal, reenact, and amend KRS 6.505, 21.402, and 61.680 to conform and to restore and delete language due to a recent court ruling; EMERGENCY.

01/29/20 introduced in House
01/31/20 to State Government (H)

STATE EXECUTIVE BRANCH BUDGET

17. [HB 352](#) [S. Rudy, B. Reed](#)

The State/Executive Branch Budget: Detail Part I, Operating Budget; appropriate to General Government: 2019-2020: \$21,535,000, 2020-2021: \$1,793,871,500, 2021-2022: \$1,813,688,900; appropriate to the Economic Development Cabinet: 2020-2021: \$33,195,900, 2021-2022: \$36,055,300; appropriate to the Department of Education: 2020-2021: \$5,183,508,800, 2021-2022: \$5,228,565,200; appropriate to the Education and Workforce Development Cabinet: 2020-2021: \$615,595,100, 2021-2022: \$617,246,200; appropriate to the Energy and Environment Cabinet: 2019-2020: \$700,000, 2020-2021: \$272,541,300, 2021-2022: \$253,649,300; appropriate to the Finance and Administration Cabinet: 2019-2020: \$2,800,000, 2020-2021: \$1,000,424,300, 2021-2022: \$972,192,200;

appropriate to the Health and Family Services Cabinet: 2020-2021: \$15,007,584,100, 2021-2022: \$15,285,043,300; appropriate to the Justice and Public Safety Cabinet: 2019-2020: \$17,216,900, 2020-2021: \$1,345,687,300, 2021-2022: \$1,369,130,400; appropriate to the Labor Cabinet: 2020-2021: \$202,693,700, 2021-2022: \$204,407,600; appropriate to the Personnel Cabinet: 2020-2021: \$64,171,200, 2021-2022: \$64,610,500; appropriate to Postsecondary Education: 2019-2020: \$497,400, 2020-2021: \$8,536,480,700, 2021-2022: \$8,930,169,100; appropriate to the Public Protection Cabinet: 2020-2021: \$129,067,100, 2021-2022: \$129,301,700; appropriate to the Tourism, Arts and Heritage Cabinet: 2019-2020: \$2,700,000, 2020-2021: \$275,773,400, 2021-2022: \$281,291,000; appropriate to the Budget Reserve Trust Fund: 2020-2021: \$10,000,000, 2021-2022: \$0; not included in the appropriation amounts are capital project amounts as follows: 2019-2020: \$7,500,000, 2020-2021: \$6,537,358,500, 2021-2022: \$249,695,600; 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.

[House Committee Substitute 1](#) The State/Executive Branch Budget: Detail Part I, Operating Budget; appropriate to General Government: 2019-2020: \$21,535,000, 2020-2021: \$1,768,873,500, 2021-2022: \$1,720,419,300; appropriate to the Economic Development Cabinet: 2020-2021: \$33,368,300, 2021-2022: \$37,193,300; appropriate to the Department of Education: 2020-2021: \$5,104,042,500, 2021-2022: \$5,231,827,200; appropriate to the Education and Workforce Development Cabinet: 2020-2021: \$612,445,100, 2021-2022: \$616,096,200; appropriate to the Energy and Environment Cabinet: 2019-2020: \$700,000, 2020-2021: \$293,726,900, 2021-2022: \$290,346,100; appropriate to the Finance and Administration Cabinet: 2019-2020: \$2,800,000, 2020-2021: \$979,207,500, 2021-2022: \$951,715,500; appropriate to the Health and Family Services Cabinet: 2020-2021: \$15,020,729,400, 2021-2022: \$15,285,569,600; appropriate to the Justice and Public Safety Cabinet: 2019-2020: \$17,216,900, 2020-2021: \$1,347,057,800, 2021-2022: \$1,369,307,400; appropriate to the Labor Cabinet: 2020-2021: \$190,899,800, 2021-2022: \$192,018,500; appropriate to the Personnel Cabinet: 2020-2021: \$62,576,800, 2021-2022: \$63,000,900; appropriate to Postsecondary Education: 2019-2020: \$497,400, 2020-2021: \$8,539,301,000, 2021-2022: \$8,951,791,200; appropriate to the Public

Protection Cabinet: 2020-2021: \$128,105,500, 2021-2022: \$128,480,100; appropriate to the Tourism, Arts and Heritage Cabinet: 2019-2020: \$2,700,000, 2020-2021: \$275,458,100, 2021-2022: \$278,975,700; appropriate to the Budget Reserve Trust Fund: 2020-2021: \$49,382,900, 2021-2022: \$39,411,300; not included in the appropriation amounts are capital project amounts as follows: 2019-2020: \$47,000,000, 2020-2021: \$8,510,749,500, 2021-2022: \$224,695,600; 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.

[House Committee Amendment 1](#) Make title amendment.

[House Floor Amendment 1](#) Insert provision directing all tax receipts, interest, and penalties resulting from the sale of distilled spirits, wine, and malt beverages to the county from which the retail sale of those products takes place.

[House Floor Amendment 2](#) Appropriate \$250,000 in General Fund moneys in each fiscal year to the Commission on Women and eliminate funding for the Ordered Liberty Program under the University of Louisville; APPROPRIATION.

[House Floor Amendment 3](#) Remove provision relating to interpretation of appropriations.

01/28/20	introduced in House
01/29/20	to Appropriations & Revenue (H)
02/05/20	posted in committee
03/03/20	taken from Appropriations & Revenue (H)
	1st reading
	returned to Appropriations & Revenue (H)
03/05/20	reported favorably, 2nd reading, to Rules with Committee Substitute (1) and committee amendment (1-title)
	taken from Rules (H)
	placed in the Orders of the Day
03/06/20	floor amendments (1) (2) and (3) filed to Committee Substitute (1)
	3rd reading, passed 86-10 with Committee Substitute (1) and committee amendment (1-title)
03/09/20	received in Senate
03/11/20	to Appropriations & Revenue (S)
03/17/20	taken from Appropriations & Revenue (S)
	1st reading

03/18/20 returned to Appropriations & Revenue (S)
 taken from Appropriations & Revenue (S)
 2nd reading
 returned to Appropriations & Revenue (S)

**03/19/20 reported favorably, to Rules with Committee Substitute (1)
 posted for passage in the Regular Orders of the Day for Thursday, March 19,
 2020
 3rd reading, passed 24-7 with Committee Substitute (1)
 received in House
 to Rules (H)
 taken from Rules
 placed in the Orders of the Day for concurrence in Senate Committee Substitute
 (1)
 House refused to concur in Senate Committee Substitute (1)
 received in Senate
 tentative Conference Committee appointed in Senate**

18. [HB 408](#) [J. Nemes](#)

Amend KRS 16.642, 61.650, 78.790, and 161.430, to establish a goal for the Kentucky Retirement Systems and the Teachers' Retirement System to invest at least 1.5% of fund assets in Kentucky private equity fund investments provided any such investment is consistent with the board's fiduciary responsibility and duties; define Kentucky private equity fund investments as an entity that makes, manages, or sources potential investments in Kentucky businesses from individuals or institutional investors; establish requirements for the systems to notify the business community of potential investment opportunity with the

systems; require reporting to the Legislative Research Commission on progress toward the goal of investment system assets in Kentucky private equity funds.

02/10/20 introduced in House
02/12/20 to State Government (H)

19. [HB 412](#) [J. Blanton](#), [C. Fugate](#), [K. Bratcher](#), [R. Brenda](#), [J. DuPlessis](#), [L. Elkins](#), [D. Frazier](#), [J. Graviss](#), [R. Heath](#), [T. Huff](#), [D. Lewis](#), [S. Lewis](#), [M. Meredith](#), [J. Miller](#), [J. Nemes](#), [S. Riley](#), [R. Rothenburger](#), [S. Santoro](#), [S. Sheldon](#), [J. Sims Jr](#), [W. Thomas](#), [R. Webber](#), [B. Wheatley](#), [L. Yates](#)

Amend KRS 16.582 and 61.621 to increase minimum total and permanent in line of duty or duty-related disability benefits payable to a member of any of the systems administered by the Kentucky Retirement Systems from 25% to 75% of the member's monthly average pay; amend KRS 16.505, 61.510, and 78.510 to define "monthly average pay" as it relates to total and permanent line of duty and duty-related disability benefits; amend KRS 16.505 to amend the definition of "dependent child" as it relates to total and permanent line of duty or duty-related disability; amend KRS 61.702 to ensure full hospital and medical insurance benefits for the member, spouse, and dependents of a member who has a total and permanent in line of duty or duty-related disability; provide for prospective adjustments in benefits for those eligible members who were totally and permanently disabled in line of duty or due to a duty-related injury; EMERGENCY.

[House Committee Substitute 1](#) Retain original provisions; make technical, clerical, conforming, and clarifying amendments; EMERGENCY.

[House Floor Amendment 1](#) Amend to make technical and clarifying amendments; EMERGENCY.

02/10/20 introduced in House
02/12/20 to State Government (H)
02/25/20 posted in committee
02/27/20 reported favorably, 1st reading, to Calendar with Committee Substitute (1)
02/28/20 2nd reading, to Rules
floor amendment (1) filed to Committee Substitute
03/11/20 posted for passage in the Regular Orders of the Day for Thursday, March 12, 2020
03/17/20 recommitted to Appropriations & Revenue (H)

CERS SEPARATION BILL

20. **HB 484** R. Webber, M. Meredith, K. Banta, J. Blanton, T. Bojanowski, K. Bratcher, G. Brown Jr, T. Burch, M. Dossett, L. Elkins, D. Frazier, C. Freeland, C. Fugate, J. Gooch Jr., D. Hale, M. Hart, R. Heath, S. Heavrin, C. Howard, T. Huff, J. Jenkins, S. Lewis, S. Maddox, C. Massey, B. McCool, R. Meyer, J. Nemes, P. Pratt, M. Prunty, B. Reed, R. Rothenburger, B. Rowland, S. Rudy, S. Santoro, J. Sims Jr, W. Thomas, K. Upchurch, B. Wheatley, L. Yates

Create a new section of KRS 61.510 to 61.705 to specify contents/intent of bill which includes transferring the administration of the County Employees Retirement System (CERS) from the Kentucky Retirement Systems (KRS) Board of Trustees to the CERS board of trustees established by the Act; provide that the administration of the Kentucky Employees Retirement System (KERS) and the State Police Retirement System (SPRS) shall continue to be the responsibility of the KRS Board of Trustees; provide that the Kentucky Public Pensions Authority (KPPA) established by the Act shall provide personnel needs, day-to-day administrative duties, and other duties for the KRS Board of Trustees and the CERS Board of Trustees; and to provide that it is the intent of the General Assembly in the 2021 Regular Session to enact legislation to create separate statutory benefit structures for KRS and CERS while retaining shared statutes that relate to administrative provisions that will be the responsibility of the KPPA; create a new section of KRS Chapter 61 to establish the KPPA membership, duties, and powers; provide that membership shall include 4 KRS board members, 4 CERS board members, and one additional member appointed by the Governor who shall vote only in the case of a tie; provide that effective April 1, 2021, KRS staff shall become the staff of the KPPA to serve the needs of both the KRS and CERS boards; provide that effective July 1, 2021, staff of the KPPA shall be transferred into a personnel system administered by the KPPA; provide that the KPPA shall not be subject to reorganization by the Governor; create a new section of KRS 78.510 to 78.852 to establish CERS Board composition with powers/duties/reporting requirements similar to the KRS Board in KRS 61.645; provide that the CERS board shall not be subject to reorganization by the Governor; amend KRS 61.645 to remove CERS representation from the KRS board and to establish a new 9 member KRS Board who will administer KERS and SPRS; provide that the KERS board shall not be subject to reorganization by the Governor; amend KRS 78.790 to establish a CERS

Investment Committee and requirements for an investment procurement policy by the CERS board; create new sections of KRS 78.510 to 78.852 to add in actuarial valuation requirements/experience study requirements/reporting requirements of actuarial data and reports for the newly created CERS board and the process for the CERS board to determine employer contribution rates; amend KRS 11A.010, 11A.201, and 11A.236 to add the CERS Board and the KPPA to the Executive Branch Code of Ethics requirements; amend KRS 66.400 to provide that no municipality may file bankruptcy if it is in default or delinquent in paying contributions to CERS; amend KRS 61.701 to establish a CERS insurance trust fund for retiree health benefits separate from the KRS insurance trust fund and to move CERS funds in the KRS insurance trust fund to the CERS insurance trust fund; amend KRS 78.535 to add in KRS 61.522 provisions regarding employer cessation of participation for CERS and to provide that the CERS Board shall determine the cost of ceasing participation; amend KRS 78.540 to add in provisions of KRS 61.535 and 61.550 relating to when membership ceases that were previously cross-referenced in KRS 78.545; amend KRS 78.625 to add in employer reporting provisions that were included in KRS 61.675 for KERS employers and were previously cross-referenced via KRS 78.545; make technical amendments; amend KRS 78.852 to restore language in the statutes due to a recent court decision and to provide that CERS employers are responsible for funding CERS obligations; amend KRS 6.350, 7A.250, 18A.205, 18A.225, 42.276, 42.728, 61.510, 61.522, 61.535, 61.552, 61.555, 61.592, 61.637, 61.650, 61.670, 61.702, 64.475, 64.640, 70.293, 78.510, 78.530, 78.545, 78.610, 78.615, 95.022, and 95.290 to conform, make technical and clarifying amendments to provide the same authorities to the CERS board as provided the KRS board and to restore language in the statutes due to a recent court decision; repeal KRS 78.533, 78.534, 78.532, 78.542, and 78.780; establish noncodified language to provide that decisions made by the KRS Board on behalf of CERS will stand and shall not be reversed except under authority granted by KRS 78.510 to 78.852; provide that the 3 elected CERS trustees serving/elected to the KRS board on April 1, 2021, shall be the 3 elected trustees of the new CERS Board; provide that the 2 elected KERS trustees and 1 SPRS trustee serving/elected to the KRS Board on April 1, 2021, shall continue to serve on the newly amended KRS Board; provide that the Governor shall make the initial appointments to the new KRS and CERS Board by March 1, 2021; provide that the Governor shall not reorganize the KRS board prior to the new boards being established; specify that no provision of this Act shall increase or decrease benefits; specify that no provision of this Act

shall limit the General Assembly's authority held prior to the Act; confirm the CERS board election process passed in 2019 to synchronize elections; provide that the effective date of Sections 1 to 46 of this Act shall be April 1, 2021.

[House Committee Substitute 1](#) Retain original provisions except to: provide that the KPPA shall hire a single actuarial consulting firm for KRS and CERS; provide that CERS shall pay for the all initial setup costs for establishing a separate CERS board and the KPPA and for annual costs attributable to separation for three fiscal years after established; provide that the KPPA, KRS board, and the CERS board shall take all actions available under the law to contain costs for the trusts, including costs for participating employers, members, and retirees; amend KRS 7A.250 to provide that the Public Pension Oversight Board (PPOB) shall review retirement system administrative expenses at least once every four years; provide that the three trustees appointed to the current KRS board from lists submitted by KLC, KACO, and KSBA shall serve for the remainder of their term as the three trustees appointed by the Governor to the new CERS board with "retirement experience"; and provide that the six trustees appointed to the current KRS board who have "investment experience" shall serve for the remainder of their term as the trustees appointed by the Governor to the amended KRS board who have "retirement experience" or "investment experience."

[House Floor Amendment 1](#) Retain original provisions except to provide that the KPPA authority members, KRS board of trustee members, and the CERS board of trustee members shall not be limited to the Legal Services Duties and Maximum Rate Schedule promulgated by the Government Contract Review Committee in their reimbursement for legal expenses arising out of the performance of their duties; provide that the KPPA authority members, KRS board of trustee members, and the CERS board of trustee members shall be paid the per diem currently provided to KRS board members of \$190 per day; provide that wherever applicable to the operations and management of the authority or systems, accounting, auditing, and financial reporting standards and best practices established by the Governmental Accounting Standards Board (GASB) and the Government Finance Officers Association (GFOA) shall be followed.

[Senate Floor Amendment 2](#) Retain original provisions except to provide that the payroll growth assumption for purposes of determining the actuarially accrued liability contribution under the level-percentage-of-payroll amortization method for CERS in the 2021 actuarial valuation and subsequent actuarial valuations shall be zero percent (0%).

[Senate Floor Amendment 3](#) Retain original provisions except to remove language that would

transfer all KPPA staff to a personnel system adopted by the KPPA and provide that all employees of the KPPA, except for the executive director, shall be subject to the state personnel system established pursuant to KRS 18A.005 to 18A.204 and shall have their salaries determined by the secretary of the Personnel Cabinet.

[Senate Floor Amendment 4](#) Retain original provisions except to provide that the CERS board shall pay any additional ongoing annual administrative and investment expenses that occur after the establishment of a separate CERS board and KPPA that are determined by the authority to be a direct result of establishing a separate CERS board and the KPPA.

[Senate Floor Amendment 5](#) Retain original provisions; provide that the provisions of Section 48 of this Act is an EMERGENCY.

[Senate Floor Amendment 6](#) Make title amendment.

02/25/20	introduced in House
02/27/20	to Local Government (H)
02/28/20	posted in committee
03/06/20	taken from Local Government (H) 1st reading returned to Local Government (H)
03/09/20	reported favorably, 2nd reading, to Rules with Committee Substitute (1) posted for passage in the Regular Orders of the Day for Tuesday, March 10, 2020
03/10/20	floor amendment (1) filed to Committee Substitute 3rd reading, passed 90-4 with Committee Substitute (1)
03/11/20	received in Senate
03/17/20	taken from Committee on Committees (S) 1st reading returned to Committee on Committees (S) to State & Local Government (S)
03/18/20	reported favorably, 2nd reading, to Rules floor amendments (1), (2), (3) and (4) filed
03/19/20	posted for passage in the Regular Orders of the Day for Thursday, March 26, 2020 floor amendments (5) and (6-title) filed

21. [HB 500](#) [S. Maddox](#)

Amend KRS 61.637 to provide that local school districts shall not be required to reimburse Kentucky Retirement Systems for retiree health care premiums for reemployed retirees

regardless of the number of days worked.

02/26/20 introduced in House
 02/28/20 to State Government (H)
 03/03/20 posted in committee

22. [HB 558](#) [R. Goforth](#)

Amend KRS 61.595 and 61.559 to provide that vested Tier I and Tier II employees of an employer who, has ceased participation in the Kentucky Employees Retirement System (KERS) who based upon the employer's choice are no longer eligible to participate in KERS and are required to participate in an alternative retirement plan following the agency's cessation date, can use service credit earned in an alternative retirement to plan determine eligibility for retirement benefits from KERS, but not the amount of benefits, and for purposes of reducing early retirement penalties in the system.

03/02/20 introduced in House
 03/04/20 to State Government (H)

23. [HB 592](#) [J. Graviss](#)

Amend KRS 61.522 to move the one-time window where quasi-governmental agencies may voluntarily cease participation in the Kentucky Employees Retirement System (KERS) ahead one year from June 30, 2020, to June 30, 2021, and to move all other corresponding timelines for the window ahead one year.

03/02/20 introduced in House
 03/04/20 to State Government (H)

24. [HB 644](#) [D. Osborne](#), [C. McCoy](#), [D. Meade](#), [M. Meredith](#)

Create a new section of KRS Chapter 21 to provide that any current or former judge or justice with an account in the Judicial Retirement Plan, who is convicted of or enters into a plea agreement to avoid conviction of a felony or misdemeanor relating to his or her duties or for

engaging in sex with a minor, including rape, sodomy, sexual abuse, and sexual misconduct, shall cease membership in the Judicial Retirement Plan and forfeit all rights and benefits earned in the Judicial Retirement Plan, except for return of his or her individual contributions and any interest; amend KRS 6.696 to provide that any current or former legislator convicted of a felony or misdemeanor or entering a plea agreement to avoid conviction of a felony or misdemeanor for engaging in sex with a minor, including rape, sodomy, sexual abuse, and sexual misconduct, shall forfeit all rights and benefits under the state-administered plan to which the legislator has made contributions for his or her service, except for return of his or her individual contributions and any interest; amend KRS 16.652, 61.535, and 78.852 to provide that any member of the retirement systems administered by the Kentucky Retirement Systems who is convicted of or enters into a plea agreement to avoid conviction of a felony or misdemeanor for engaging in sex with a minor, including rape, sodomy, sexual abuse, and sexual misconduct, shall cease membership in the retirement system to which the member has made contributions and forfeit all rights and benefits earned in that system, except for return of his or her individual contributions and any interest; amend KRS 161.700 to provide that any member of the Teachers' Retirement System who is convicted of or enters into a plea agreement to avoid conviction of a felony or misdemeanor for engaging in sex with a minor, including rape, sodomy, sexual abuse, and sexual misconduct, shall cease membership in the Teachers' Retirement System and forfeit all rights and benefits earned in that system, except for return of his or her individual contributions and any interest; amend KRS 6.505, 21.360, 21.470, 21.480, 61.692, 161.700, and 161.714 to conform; and specify in noncodified language that this Act shall only apply to felonies, misdemeanors, and plea agreements entered into on or after the effective date of this Act.

03/02/20 introduced in House
03/04/20 to State Government (H)
03/05/20 posted in committee

25. [HB 645](#) [D. Osborne](#)

Amend KRS 61.645 to make language gender-neutral.

03/02/20 introduced in House
03/04/20 to State Government (H)
03/05/20 posted in committee