



2016 Kentucky General Assembly Legislative Report

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HB2 **CONSTITUTIONAL AMENDMENT** (STUMBO, G) AN ACT proposing to amend Section 181 of the Constitution of Kentucky relating to local levies of sales and use taxes.

Propose to amend Section 181 of the Constitution of Kentucky to authorize the General Assembly to confer upon the proper authority of any city or county the power to levy a local option sales and use tax, subject to specifically enumerated conditions and limitations; submit to the voters for approval or disapproval; supply ballot language.

Current Status: 3/17/2016 - floor amendments (1-title) and (2) filed

Recent Status: 3/14/2016 - received in Senate
3/11/2016 - (H) THIRD READING; floor amendment (3) withdrawn; passed 60-31

Comments: Constitutional amendment proposal to allow local governments to impose a local option sales tax. Passage unlikely.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB2.htm>

HB40 **CRIMINAL RECORDS** (OWENS, D) AN ACT relating to criminal records.

Amend KRS 431.076 to expand the scope of an expungement motion under that statute to include felonies referred to a grand jury where no indictment ensues; amend KRS 431.078 to expand that statute's expungement process to include Class D felonies; amend KRS 527.040 to expressly provide that an expunged felony does not trigger the application of that statute; create a new section of KRS Chapter 413 to prohibit the introduction of information pertaining to an expunged conviction as evidence in a civil suit or administrative proceeding alleging negligent hiring or licensing.

Current Status: 3/18/2016 - (S) SECOND READING, to Rules

Recent Status: 3/17/2016 - floor amendment (1) filed to Committee Substitute
3/17/2016 - (S) FIRST READING w/SCS 1, to Regular Calendar

Comments: Criminal Expungement - Would wipe Class D Felony convictions from an individual's record. Would make it difficult for potential employers to find out the legal

background of an applicant. Roared through the House, but has a tougher time in the Senate. Working with other employer groups to amend to delete expungement of certain offenses, including financial crimes. Likely Member Action Alert will be requested.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB40.htm>

HB80 OPEN RECORDS (HARRIS, C) AN ACT relating to open records.

Amend KRS 61.870 to narrow the funding criteria that determines exemptions from the definition of "public agency" in the Kentucky Open Records Act.

Current Status: 3/18/2016 - (S) Returned to Committee Senate State and Local Government

Recent Status: 3/18/2016 - (S) SECOND READING
3/18/2016 - (S) Taken From Committee

Comments: Well intended bill that overreaches. Companies doing contract business with the state could find that ALL of their corporate records could be subject to disclosure under the Open Records statutes. - Bad Bill

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB80.htm>

HB91 GOVERNMENT CONTRACTS (YONTS, B) AN ACT relating to government contracts.

Amend various sections in KRS Chapter 45A to expand and refine the list of entities included in definition of "contracting body"; allow the Government Contract Review Committee to determine the definition of "governmental emergency"; refine the definition of "memorandum of agreement"; correct references to universities and colleges and institutions of higher education; refine the definition of "personal service contract" to eliminate professional skill or judgment requirement and specifically include contracts for personal or professional services and group health care for public employees; allow the committee to establish reporting schedule for exempt personal service contracts and memoranda of agreement; exempt contracts between postsecondary institutions and health care providers, but require reporting of such contracts; require committee review of all personal service contracts and memoranda of agreement in excess of \$1,000,000, except for contracts involving child support collections which are exempt; exempt contracts \$40,000 and under from request for proposals process, but require three quotes when feasible, and determination of unfeasibility may be reviewed by the secretary of the Finance and Administration Cabinet or the

committee; exempt contracts \$40,000 and under not requiring professional skill or judgment from routine review process, but require filing within 30 days for informational purposes; prohibit delegation of decision-making authority by secretary of the Finance and Administration Cabinet, except with respect to institutions of higher education that have elected to implement procurement procedures in accordance with statutory authority; delete requirement for annual reports; delineate powers of the committee.

Current Status: 2/1/2016 - (H) WITHDRAWN

Recent Status: 1/5/2016 - (H) Referred to Committee House State Government
1/5/2016 - Introduced (Pre-Filed)

Comments: Overhaul of the government contracting process, particularly focusing on personal service contracts.
DEAD

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB91.htm>

HB180 CRIMINAL HISTORY (BROWN, G) AN ACT relating to criminal histories of job applicants.

Create a new section of KRS Chapter 344 to prohibit employers from considering or requiring disclosure of prior criminal history as part of the initial job application; title the Act as "Ban the Box-The Criminal Record Employment Discrimination Act."

Current Status: 1/28/2016 - House Labor and Industry, (Bill Scheduled for Hearing)

Recent Status: 1/13/2016 - (H) posted in committee House Labor and Industry
1/7/2016 - (H) Referred to Committee House Labor and Industry

Comments: Likely Dead - Not the vehicle.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB180.htm>

HB274 SALES AND USE TAX (DENHAM, M) AN ACT relating to sales and use tax incentives.

Amend KRS 154.32-020, relating to the Kentucky Business Investment (KBI) economic development incentive program, to allow a new, additional sales and use tax incentive to be awarded to approved companies undertaking economic development projects in certain enhanced incentive counties; create a new section of Subchapter 32 of KRS Chapter 154 to establish the parameters of the sales and use tax refund incentive; amend KRS 154.32-040 to conform; create a new section of KRS Chapter 139 to establish the procedure for an approved company to apply to the Department of Revenue

for payment of a refund; declare the short title of the Act to be the Rural Communities Economic Advancement and Job Creation Act of 2016; provide that the Act shall apply to economic development projects undertaken by companies receiving preliminary approval on or after the effective date of the Act.

Current Status: 1/20/2016 - (H) Referred to Committee House Appropriations and Revenue

Recent Status: 1/19/2016 - Introduced

Comments: Adds sales and use tax incentives for the purpose of purchase of tangible property, digital property or services to current Economic Development incentives in certain counties targeted. Economic Development Cabinet has been focused on manufacturing operations in the past.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB274.htm>

HB278 WAGES (STUMBO, G) AN ACT relating to wages.

Amend KRS 337.275 to raise the state minimum wage to \$8.20 per hour on August 1, 2016, \$9.15 per hour on July 1, 2017, and \$10.10 per hour on July 1, 2018; amend KRS 337.010 the definition of employees of retail stores and service industries, to increase the applicable threshold of business that applies to from \$95,000 to \$500,000; amend KRS 337.420 to define "equivalent jobs" as those that are equal under the federal Equal Pay Act, or jobs that are dissimilar but equivalent in skill, effort, responsibility, and working conditions; amend KRS 337.423 to prohibit wage discrimination on the basis of sex, race, or national origin by prohibiting wage differentials for employees who perform equivalent jobs; provide exceptions for wage differentials based on seniority or merit systems, systems that measure wages by quantity or quality of production, and factors other than sex, race, or national origin; amend KRS 337.425 to require the promulgation of administrative regulations to specify criteria for determining jobs that are dominated by employees of a particular sex, race, or national origin, and acceptable methodology for determining equivalent skill, effort, responsibility, and working conditions; require that the promulgation occur on or before July 1, 2017; EFFECTIVE July 1, 2018.

Current Status: 3/21/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,4

Recent Status: 3/18/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,4
3/17/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,4

Comments: Speaker's Minimum Wage Bill - This is an election

year bill in an attempt to retain the House for Democrats. Likely to die in the Senate. Would face certain Veto by the Governor if it passed both Chambers.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB278.htm>

HB303 EXECUTIVE BRANCH BUDGET (RAND, R) AN ACT relating to appropriations and revenue measures providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

The State/Executive Branch Budget: appropriate from the General Fund (Tobacco), General Fund, Restricted Funds, Federal Funds, Road Fund, Bond Funds, Agency Bonds, Capital Construction Surplus, Investment Income, Statewide Deferred Maintenance Fund, and other funds, \$182,013,700 in fiscal year 2015-2016, \$33,287,508,100 in fiscal year 2016-2017, and \$32,051,036,100 in fiscal year 2017-2018 as follows: General Government 2015-2016 \$22,370,700 2016-2017 \$1,504,467,800 2017-2018 \$1,538,644,000 Economic Development Cabinet 2015-2016 \$975,000 2016-2017 \$21,082,900 2017-2018 \$22,017,500 Department of Education 2016-2017 \$5,015,844,100 2017-2018 \$5,006,558,900 Education and Workforce Development Cabinet 2015-2016 \$900,000 2016-2017 \$833,470,500 2017-2018 \$847,236,600 Energy and Environment Cabinet 2016-2017 \$244,344,100 2017-2018 \$240,848,700 Finance and Administration Cabinet 2016-2017 \$874,431,800 2017-2018 \$919,630,900 Health and Family Services Cabinet 2015-2016 \$111,126,200 2016-2017 \$12,952,760,300 2017-2018 \$13,442,186,100 Justice and Public Safety Cabinet 2015-2016 \$21,157,300 2016-2017 \$1,038,865,300 2017-2018 \$1,041,148,500 Labor Cabinet 2016-2017 \$233,085,300 2017-2018 \$237,495,100 Personnel Cabinet 2016-2017 \$65,055,000 2017-2018 \$66,863,300 Postsecondary Education 2015-2016 \$3,054,500 2016-2017 \$7,630,081,700 2017-2018 \$8,052,714,200 Public Protection Cabinet 2016-2017 \$107,373,900 2017-2018 \$108,306,900 Tourism, Arts and Heritage Cabinet 2015-2016 \$15,880,000 2016-2017 \$234,406,800 2017-2018 \$238,146,000 Budget Reserve Trust Fund 2016-2017 \$153,436,000 2017-2018 \$160,960,900 Not included in the above appropriation amounts are capital project amounts as follows: Capital Projects 2015-2016 \$6,550,000 2016-2017 \$2,378,802,600 2017-2018 \$128,278,500.

Full summary can be found in miscellaneous documents.

Current Status: 3/18/2016 - (S) Returned to Committee Senate Committee on Committees

Recent Status: 3/18/2016 - (S) SECOND READING

3/18/2016 - (S) Taken From Committee

Comments: Skeleton of Governor's Executive budget. Will cut spending 4.5% for the balance of this fiscal year and 9% for each year of the new biennium. Awaiting details in the Cabinet budget memoranda yet to be presented.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB303.htm>

HB311 WORKERS COMPENSATION BENEFITS (ROWLAND, B) AN ACT relating to offsetting workers' compensation benefits.

Amend KRS 342.730 to allow payments of temporary total disability benefits to be offset by wages paid to an employee by an employer for light duty or alternative duty work performed during a period of temporary total disability.

Current Status: 2/1/2016 - (H) Referred to Committee House Labor and Industry

Recent Status: 1/28/2016 - Introduced

Comments: WC bill introduced by Minority member of the House. If it moves, it will receive a business unfriendly amendment from organized labor and the trial attorneys.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB311.htm>

HB366 ROOFING CONTRACTORS (RIGGS, S) AN ACT relating to roofing contractors.

Amend KRS 367.628 to prohibit roofing contractors from causing damage to a roof before repair or replacement to increase the scope of repair or replacement and from submitting a claim to an insurer if the roof was not damaged prior to repair or replacement; establish penalties for violations of KRS 367.628; grant enforcement authority to Attorney General.

Current Status: 3/22/2016 - Senate Licensing, Occupations, and Administrative Regulations, (Bill Scheduled for Hearing)

Recent Status: 3/14/2016 - (S) Referred to Committee Senate Licensing, Occupations, and Administrative Regulations
3/10/2016 - received in Senate

Comments: Bill to strengthen fraud laws against roofers

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB366.htm>

HB374 LOCAL OPTION SALES AND USE TAX (THOMPSON, T) AN ACT relating to local option sales and use tax.

Create new sections of KRS Chapter 65 to establish the parameters and requirements for the levy of local option sales and use taxes, if a proposed constitutional amendment allowing such a levy is approved; create a new section of KRS Chapter 139 to establish tax administration provisions; amend KRS 139.570, 139.670, 139.778, 144.132, and 183.525 to conform; amend KRS 131.190 to allow the Department of Revenue to share information related to the local option sales and use taxes with local jurisdictions imposing the tax; provide that the provisions of the Act will be effective on January 1, 2017, only if the proposed constitutional amendment is approved by the voters of the Commonwealth at the November 2016 general election; if the proposed amendment is not approved, the Act is void.

Current Status: 3/17/2016 - (S) Referred to Committee Senate Appropriations and Revenue

Recent Status: 3/16/2016 - floor amendment (1) and (2) filed
3/14/2016 - received in Senate

Comments: Second attempt by cities to promote a local sales tax, on top of state tax. Last year's version called for the funds to only be used for capital projects that would "transform" cities and then sunset when the bonds were paid off. This year, the bill is focused on "programs" and could be ongoing. Appears that a lot of the focus will be on providing a source of cash for underfunded local pensions. The bill faces an uphill battle as former supporters bail out with the new language. Passage unlikely.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB374.htm>

HB439 ELECTRICAL WORK (CLARK, L) AN ACT relating to electrical work.

Amend various sections of KRS Chapters 227 and 227A to update terminology used to define the scope of the telecommunications exception and make consistent with other state and federal law and the evolution of low-voltage technology; establish a limited low-voltage exception for wireless home surveillance, security alarm, or energy management systems; clarify the applicability of the National Electrical code to unlicensed electrical work; add two members of the low-voltage profession to the Electrical Advisory Committee; require the Department of Housing, Buildings and Construction to establish separate classifications specific to the diverse qualifications and technical needs of the low-voltage industries.

Current Status: 3/10/2016 - (H) posted in committee House Licensing and Occupations

Recent Status: 2/22/2016 - (H) Referred to Committee House Licensing and Occupations
2/19/2016 - Introduced

Comments: Low voltage electrical bill. Opposed by Cabinet. Likely dead

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB439.htm>

HB441 TRANSIENT ROOM TAXES (PALUMBO, R) AN ACT relating to transient room taxes imposed by urban-county governments.

Amend KRS 153.450 to allow an urban-county government to levy a transient room tax of up to an extra two-and-a-half percent for a total of up to four-and-a-half percent and to specify the purposes for which the revenue may be expended.

Current Status: 3/7/2016 - (S) Referred to Committee Senate Appropriations and Revenue

Recent Status: 3/4/2016 - received in Senate
3/3/2016 - (H) THIRD READING, passed 77-13 with floor amendment (2)

Comments: Transient room tax increase for Lexington. Supported by hoteliers and tourism. Likely to pass

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB441.htm>

HB472 MOUNTAIN TRAIL AUTHORITY (STEWART, J) AN ACT relating to promoting outdoor recreation and tourism development by establishing the Kentucky Mountain Trail Authority and making an appropriation therefor.

Create new sections of KRS Chapter 148 to establish the Kentucky Mountain Trail Authority (KMTA) as an independent, de jure municipal corporation attached to the Tourism, Arts and Heritage Cabinet for administrative purposes only; authorize the KMTA to establish the Kentucky Mountain Regional Recreation Area for outdoor recreation opportunities for residents and visitors; prioritize the development of trails and outdoor recreation on private lands through agreements with willing landowners; identify 18 eastern Kentucky counties that would be target counties for initial development of the KMTA; identify a process through which target counties would become full participating counties in the authority; establish a process whereby counties outside the target counties could fulfill requirements to become participating counties in the KMTA; authorize the KMTA board to adopt bylaws for governance; outline methods for appointing an executive director and hiring staff; authorize KMTA board meetings and establish

duties; outline methods for appointing an executive director; enable the authority to procure insurance, execute contracts, accept grants and loans, and to promulgate administrative regulations to govern the Kentucky Mountain Regional Recreational Area; ensure that participating landowners are not liable for willful negligence or similar damages; APPROPRIATION.

Current Status: 3/10/2016 - House Tourism Development and Energy, (Bill Scheduled for Hearing)

Recent Status: 3/8/2016 - (H) posted in committee House Tourism Development and Energy
2/24/2016 - (H) Referred to Committee House Tourism Development and Energy

Comments: Tourism bill. Likely Dead.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB472.htm>

HB477 MISCLASSIFICATION OF EMPLOYEES (OVERLY, S) AN ACT relating to the misclassification of employees in the construction industry.

Create new sections of KRS Chapter 337 to set forth legislative findings and declarations regarding employee misclassification problems; provide definitions; set forth determination of misclassified workers; set forth investigation process and violations; establish court remedies; require notice by an employer; grant commissioner authority to promulgate administrative regulations; require agencies to share the information of a misclassifying employer with other interested state agencies; amend KRS 337.990 to establish penalties for violations; amend KRS 45A.485 to prohibit contractors with multiple violations from contracting with the state for two years; amend KRS 131.190 to require the Department of Revenue to provide copies of assessments for failure to pay income tax to three other state agencies; create a new section of KRS Chapter 341 to require the Office of Employment and Training to provide copies of assessments for failure to pay income tax to three other state agencies; create a new section of KRS Chapter 342 to require the commissioner to provide copies of orders to three other state agencies.

Current Status: 3/21/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,7T,8

Recent Status: 3/18/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,7T,8
3/17/2016 - (H) Posted for Passage in Regular Orders of the Day; w/HCS 1, HFA 1,2,3,7T,8

Comments: Bad, bad bill that makes it difficult to have independent contractors not be classified as employees. Have added 7 floor amendments. Will die in Senate, if it gets that far.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB477.htm>

HB485 RESTAURANTS (SIMPSON, A) AN ACT relating to restaurants.

Create a new section of KRS Chapter 244 to authorize restaurant rewards programs that allow customers to earn points toward future discounted or free items; define "licensee," "points," "program," and "restaurant"; allow customers to accrue points through the purchase of food, nonalcoholic drinks, merchandise, and alcoholic beverages; prohibit the redemption of points for free or discounted alcoholic beverages; authorize a rewards program among different restaurants within a restaurant chain; amend KRS 244.500 to exclude rewards programs from the prohibition against transactions involving the sale of malt beverages.

Current Status: 2/26/2016 - (H) posted in committee House Licensing and Occupations

Recent Status: 2/25/2016 - (H) Referred to Committee House Licensing and Occupations
2/24/2016 - Introduced

Comments: Allows creation of restaurant rewards programs that involve the sale of malt beverages.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB485.htm>

HB546 TRANSIENT ROOM TAX (SINETTE, K) AN ACT relating to transient room tax.

Amend KRS 91A.390 to apply the transient room tax to stays of 30 days or less; amend KRS 91A.392, 142.400, 153.440, and 153.450 to conform; EFFECTIVE August 1, 2016.

Current Status: 3/1/2016 - (H) Referred to Committee House Appropriations and Revenue

Recent Status: 2/29/2016 - Introduced

Comments: Bill would remove transient room tax on stays after 30 days. Opposed by tourism industry

State Bill Page: <http://www.lrc.ky.gov/record/16RS/HB546.htm>

SB3 CONTRACTS (STIVERS, R) AN ACT relating to contracts.

Amend KRS 336.130 to prohibit mandatory membership in or financial support of a labor organization as a condition of employment and to name this section the "Kentucky Right to Work Act"; amend KRS 336.180 to define "employer"; amend KRS 336.990 to make a violation of the Act a Class A misdemeanor, award damages, and provide injunctive relief; create new sections of KRS Chapter 336 to exempt existing contracts or agreements

and other federal agreements and require the Attorney General to investigate complaints and prosecute those who violate Section 1 of the Act.

Current Status: 1/7/2016 - (S) Referred to Committee Senate Economic Development, Tourism, and Labor

Recent Status: 1/6/2016 - Introduced

Comments: Right to Work legislation - A priority of the Bevin administration, this bill will be an election tool as Republicans continue their quest for a majority in the House. This bill is DEAD.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB3.htm>

SB11 ALCOHOLIC BEVERAGES (SCHICKEL, J) AN ACT relating to alcoholic beverages.

Amend KRS 241.010 to define "bed and breakfast," "commercial quadricycle," and "discount in the usual course of business"; expand the definition of "alcoholic beverage" to include a powder or crystal containing alcohol; increase the annual production limit for small farm wineries from 50,000 gallons to 100,000 gallons; make a souvenir package a special package of Kentucky distilled spirits; create a new section of KRS Chapter 242 to allow a precinct-level local option election to authorize the sale of alcoholic beverages at a distillery; amend KRS 242.020 to require those who circulated a local option petition to bear the cost of the election if it is held on a day other than a primary or regular election day; amend KRS 242.030 to set the filing deadlines for a local option election held on a primary or regular election day; amend KRS 242.1241 to conduct a small farm winery local option election in the same manner as in KRS 242.020 to 242.120; create a new section of KRS Chapter 243 to establish and regulate authorized public consumption (APC) licenses for use with commercial quadricycles; set APC license qualifications, including a business office, general liability insurance of at least \$2,000,000, and a local government permit; establish the standards for drivers and local ordinances for commercial quadricycles; allow patrons to bring their own unopened packaged alcoholic beverages in nonglass containers for personal consumption on the commercial quadricycle; limit patron consumption to times after boarding and while riding the commercial quadricycle; prohibit patrons from bringing open alcoholic beverages from a licensed retail premises onto the commercial quadricycle; forbid local APC fees from exceeding state APC fees; amend KRS 243.030 and 243.070 to establish state and local APC license fees and craft rectifier license fees; amend KRS 243.060 to designate state and local APC license fees; amend KRS 243.0305 to set maximum souvenir package sales of nine liters per customer per day; establish rules for distillery use of a sampling license or an NQ3 license; amend KRS 243.033 to allow a caterer to cater a private party or special

event at a nonfederally bonded portion of a distillery; amend KRS 243.036 to apply a distilled spirits and wine auction license to malt beverages; include raffles as a part of the auction license; amend KRS 243.086 to permit an NQ3 retail drink license for a distiller or a bed and breakfast; limit bed and breakfast drink sales to paid overnight guests; amend KRS 243.090 to make most local alcohol licenses expire on the same date as the corresponding state license; prorate the cost of a local license in the first year to allow the local license to synchronize with the state license; amend KRS 243.120 to create Class A and Class B rectifier's licenses; tax and distribute distiller retail drink sales in the same manner as souvenir package sales; amend KRS 243.130, 243.155, and 243.157 to allow employees of distillers, rectifiers, wineries, small farm wineries, and microbreweries to sample their employer's products for purposes of education, quality control, and product development; enable small farm wineries to enter into "custom crush" agreements with one another; permit a small farm winery to sell its wine products that are unmarketable as wine to a distiller; allow a small farm winery to produce up to 1,000 gallons of brandy per year; mandate the use of 100% Kentucky products in the production of brandy or its fortified wine products; forbid the offer or sale of brandy as a stand-alone product; exclude brandy and fortified wine production from a small farm winery's wine production limit; authorize sampling and sale of fortified wine products at a small farm winery or off-premises retail site located in wet territory; limit fortified wine samples to two ounces per patron per day; direct a small farm winery to only fortify its wine products with brandy it manufactured; increase the annual production limit for microbreweries from 25,000 barrels to 50,000 barrels; authorize a microbrewery to sell its products by the drink or package at fairs, festivals, and similar events; create a new section of KRS Chapter 244 to forbid any person to possess, sell, offer for sale, or use any powdered or crystalline alcoholic beverage product; amend KRS 244.050 to authorize a quota retail package licensee to provide free and paid samples of distilled spirits or wine; amend KRS 244.085 to allow a person under 21 years of age to remain at a licensed APC premises; amend KRS 244.130 to enable a distiller to provide visitors with free production by-products or free nonalcoholic novelty items; amend KRS 244.240 to permit distillers, rectifiers, wineries, and wholesalers to give discounts in the usual course of business if the same discounts are offered to all licensees of the same license type buying similar quantities; amend KRS 242.022, 242.1242, 242.1244, 243.034, and 243.882 to conform; repeal KRS 243.892.

Current Status: 3/18/2016 - floor amendment (1) withdrawn

Recent Status: 3/11/2016 - (H) posted in committee House Licensing and Occupations

2/23/2016 - floor amendment (1) filed

Comments: Tourism bill that will: allow for expansion of

attractions on the Kentucky Bourbon Trail, assist small wineries and craft brewers. Prospects for passage of the full bill are mixed. Potential for the many parts to be split into separate bills.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB11.htm>

SB50 SCHOOL CALENDAR (GIRDLER, C) AN ACT relating to the school calendar.

Amend KRS 158.070 to require schools to schedule the first student attendance day no earlier than the Monday closest to August 26, unless a school has adopted a year-round calendar; allow a waiver when a school has missed at least seven days each year for five previous years due to inclement weather.

Current Status: 3/10/2016 - (H) Referred to Committee House Education

Recent Status: 3/9/2016 - received in House
3/8/2016 - (S) THIRD READING, passed 33-4 with Committee Substitute (1)

Comments: Tourism supported bill to move state-wide beginning of school until after Labor Day. Has had difficulty in years past because of resistance from School Boards.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB50.htm>

SB166 ECONOMIC DEVELOPMENT (CARPENTER, J) AN ACT relating to resources to support local tourism, recreation, and economic development.

Amend KRS 91A.400 to allow a restaurant tax to be levied on all cities and merged governments, provide for a distribution of the tax between the tax jurisdiction and the relevant tourist and convention commission; provide for certain crediting provisions and, when levying a restaurant tax, disallow a simultaneous collection of a percentage-based occupational license fee or license tax imposed on the net profits or gross receipts of the business.

Current Status: 2/11/2016 - (S) Referred to Committee Senate Appropriations and Revenue

Recent Status: 2/9/2016 - Introduced

Comments: Bad Bill - Allows expansion of cities that can levy restaurant taxes. Likely Dead

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB166.htm>

SB173 GOVERNMENT COMMERCIAL ACTIVITIES (GIRDLER, C) AN ACT relating to commercial activities of government.

Create a new section of KRS Chapter 65 to establish procedures for local governments to enter into the retail or wholesale sale of a commercial product; create a new section of KRS Chapter 45 to establish procedures for state entities to enter into the retail or wholesale sale of a commercial product.

Current Status: 3/11/2016 - (H) reassigned to committee House Appropriations and Revenue

Recent Status: 3/7/2016 - (H) Referred to Committee House State Government
3/3/2016 - received in House

Comments: Bill would prohibit competition from government entities with private enterprise. Coming from a fight with City of Somerset opening its municipal fleet fueling station to sell gasoline at retail to the general public. League of Cities likely to quash this at some point in the process.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB173.htm>

SB198 **FRANCHISEES** (SCHRODER, W) AN ACT relating to franchisees.

Amend KRS 337.010 to provide that neither a franchisee nor an employee of a franchisee shall be deemed to be an employee of the franchisor for purposes of KRS Chapter 337; amend KRS 338.021 to provide that neither a franchisee nor an employee of a franchisee shall be deemed to be an employee of the franchisor for purposes of KRS Chapter 338; amend KRS 341.070 to provide that neither a franchisee nor an employee of a franchisee shall be deemed to be an employee of the franchisor for purposes of KRS Chapter 341; amend KRS 342.690 to provide that neither a franchisee nor an employee of a franchisee shall be deemed to be an employee of the franchisor for purposes of KRS Chapter 342; amend KRS 344.030 to provide that neither a franchisee nor an employee of a franchisee shall be deemed to be an employee of the franchisor for purposes of KRS Chapter 344; define "franchisee" and "franchisor" for purposes of each of these chapters.

Current Status: 3/16/2016 - (H) Referred to Committee House Labor and Industry

Recent Status: 3/15/2016 - received in House
3/14/2016 - (S) THIRD READING, passed 25-13 with Committee Substitute (1)

Comments: Special legislation for Yum to clarify that the employees of their franchises are not employees of Yum. Likely dead.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB198.htm>

SB298 EXPUNGEMENT (STIVERS, R) AN ACT relating to expungement.

Create a new section of KRS Chapter 431 to allow expungement of designated Class D felonies; amend KRS 431.076 to allow expungement of felony charges on which the grand jury has not issued an indictment and to allow an appellate court opinion to be redacted to remove the name of a person for whom an expungement has been ordered on the basis of a finding of not guilty or upon a dismissal of the charges; amend KRS 431.078 to allow for expungements of multiple misdemeanors and to prohibit any expungement if it is for an offense subject to a penalty enhancement for a second or subsequent offense; amend KRS 431.079 to conform.

Current Status: 3/11/2016 - floor amendment (1) filed

Recent Status: 3/11/2016 - (S) Returned to Committee Senate
Judiciary
3/11/2016 - (S) SECOND READING

Comments: Bill that will be vehicle for expungment of felony records.

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB298.htm>

SB299 CONSTITUTIONAL AMENDMENT (STIVERS, R) AN ACT proposing an amendment to Section 145 of the Constitution of Kentucky relating to persons entitled to vote.

Propose to amend Section 145 of the Constitution of Kentucky to allow persons convicted of certain felonies the right to vote as provided by the General Assembly; submit to voters with question.

Current Status: 3/21/2016 - (S) Posted for Passage in Regular Orders of the Day; w/SFA 1

Recent Status: 3/18/2016 - (S) Posted for Passage in Regular Orders of the Day for Monday, March 21, 2016
3/17/2016 - floor amendment (1) filed

Comments: Constitutional amendment to grant voting rights to convicted felons under certain conditions. Companion to SB 198

State Bill Page: <http://www.lrc.ky.gov/record/16RS/SB299.htm>

Week in Review
March 18, 2016

[House Democrats pass their version of budget](#)

Majority Democrats in the Kentucky House passed their version of the state budget bill Wednesday evening on a 53-0 vote with all 47 minority Republicans not voting.

[4 newest Kentucky House members sworn in](#)

Lew Nicholls reminisced about his teenage days roaming the Kentucky House floor as a page while his father served as a lawmaker. Daniel Elliott held his father's Bible when entering the House chamber.

[Bills on kynect, Medicaid expansion sent to House floor after party-line votes in House Health and Welfare Committee](#)

A partisan battle over the pieces of the Affordable Care Act implemented by Gov. Steve Beshear is brewing in Kentucky's General Assembly, with a pair of bills heading to a floor debate in the House.

[Work Ready Kentucky scholarship bill heads to Senate on 86-11 House vote](#)

The House of Representatives has passed legislation on Thursday that would cover community and technical college tuition for most Kentuckians entering such programs straight from high school.

[Bill To End Mine Inspections Passes Kentucky Senate](#)

The Kentucky Senate has approved a bill aimed at ending state inspections of coal mines, which would turn those duties entirely over to a federal agency.

[Disclosure of pension system data approved by House panel](#)

After much debate, a House panel on Thursday approved a bill to require greater transparency from the state's pension systems -- including the one for legislators, which would have to begin posting information online.

[Committee Approves Bill To Clear Felony Records](#)

Kentuckians with certain Class D felonies would be able to clear their criminal records under a bill that the state Senate Judiciary Committee approved on Thursday.

[Bills to quicken sexual assault kit testing, amended charter school legislation clears Senate](#)

A bill which would require that all sexual assault kits be tested in a timely fashion has passed the full Senate chamber by a unanimous 38-0 vote.

[Senate votes to put stipulation on needle-exchange programs](#)

Delving back into the contentious issue of needle-exchange programs, the Kentucky Senate passed a bill Tuesday to require a straight one-for-one swap of dirty and clean needles among participating addicts.

[Sweeping religious liberties bill passes Senate](#)

The Kentucky Senate passed a sweeping bill on Tuesday that opponents say would allow certain businesses to discriminate against gays and lesbians based on religious beliefs.

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