



Kentucky League of Cities

2007 LEGISLATIVE UPDATE

Bills Enacted by the 2007 Kentucky General Assembly
Related to Kentucky Cities



NOTE: The EFFECTIVE DATE of all legislation enacted by the 2007 General Assembly is June 26, 2007, unless a bill contained an emergency clause or specified a future or retroactive effective date.
(OAG 07-002)

If a bill reported in this update becomes effective on a date other than June 26, 2007, it is noted in the summary of the bill.

The complete text of all bills is available for review on the Legislative Research Commission web site at www.lrc.ky.gov.

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HB 138 LIMITED SALES

Sponsor: Representative Dennis Keene (D-Wilder)

HB 138 includes several new provisions related to the limited sale of alcoholic beverages by the drink:

- ◆ HB 138 creates a new section of KRS Chapter 242 to authorize a city or county to hold a local option election for the limited sale of alcoholic beverages by the drink in restaurants with a seating capacity of 50 or more persons, if the restaurant derives a minimum of 70 percent of its gross receipts from the sale of food, has no open bar and the alcoholic beverages are sold only in conjunction with a meal.
- ◆ HB 138 amends KRS 243.033 to authorize a caterer to sell alcoholic beverages by the drink in conjunction with the catering of food in cities and counties that permit, by local option election, the limited sale of alcoholic beverages by the drink in restaurants with a seating capacity of 50 or more persons, if the restaurant derives a minimum of 70 percent of its gross receipts from the sale of food, has no open bar and the alcoholic beverages are sold only in conjunction with a meal.
- ◆ HB 138 creates a new section of KRS Chapter 242 to authorize a local option election for the limited sale of distilled spirits, wine and malt beverages by the drink in a precinct in which a "qualified historic site" is located. "Qualified historic site" means:
 - ◆ a site located within a commercial district listed in the National Register of Historic Places with lodging on the premises and dining facilities that seat a minimum of 50 persons;
 - ◆ a site listed as a National Historic Landmark with lodging on the premises and dining facilities that seat a minimum of 50 persons; or
 - ◆ a distillery listed as a National Historic Landmark with a souvenir retail liquor license pursuant to KRS 243.0305.
- ◆ HB 138 amends KRS 244.290 to permit the legislative body of an urban county government to establish the hours in which distilled spirits and wine may be sold within its jurisdiction, including sales between midnight and 6:00 a.m. and on Sundays. HB 138 additionally permits the legislative body of an urban county government to extend Sunday sales of distilled spirits and wine by the drink to any premises licensed to sell distilled spirits and wine by the drink located within the jurisdiction. Under prior law, Sunday sales of distilled spirits and wine by the drink in urban county governments was limited to businesses that generate more than 50 percent of their revenue from food sales and have dining facilities seating a minimum of 100 persons.

HB 355 MEMBERSHIP

Sponsor: Representative Arnold Simpson (D-Covington)

HB 355 amends KRS 65.8811 to permit code enforcement boards to consist of three or more members and establishes a schedule for initial appointments to a code enforcement board for terms of one, two or three years. Under prior law, code enforcement boards were required to consist of three, five or seven members.

HB 296 DRUG-FREE WORKPLACE

Sponsor: Representative Joni Jenkins (D-Shively)

HB 296 amends KRS 304.13-167 to permit the Office of Insurance to approve rating plans for workers' compensation insurance that give identifiable consideration in the setting of rates to employers who implement a drug-free workplace program pursuant to administrative regulations adopted by the Office of Workers' Claims. Rating plans will take effect January 1, 2008.

HB 296 additionally permits the Office of Insurance to develop a schedule of premium credits for workers' compensation insurance for employers who have safety programs containing specified criteria as determined by the Office of Insurance and the Office of Workers' Claims. EMERGENCY. Effective March 23, 2007.

SB 88 DISPOSAL OF FORFEITED PROPERTY

Sponsor: Senator Robert Stivers (R-Manchester)

SB 88 amends KRS 218A.420 relating to disposal of property seized or forfeited due to use in the manufacture, distribution, sale or transfer of controlled substances in violation of KRS Chapter 218A, or which facilitates the commission of a violation of KRS Chapter 218A. The bill requires coin, currency or proceeds from the sale of forfeited property to be distributed as follows:

1. Eighty-five percent (85%) to the law enforcement agency or agencies that seized the property, to be used for direct law enforcement purposes; and
2. Fifteen percent (15%) to the Office of the Attorney General, or in the alternative, to the Prosecutors Advisory Council, for deposit on behalf of the commonwealth attorney or county attorney who participated in the forfeiture proceedings.

SB 88 contains the following additional provisions:

- ♦ Each state and local law enforcement agency that seizes property for the purpose of forfeiture under KRS 218A. 410 shall, prior to receiving any forfeited property, adopt policies relating to the seizure, maintenance, storage and care of property pending forfeiture. The policies must comply with, or substantially comply with, the model policy for seizure of forfeited assets by law enforcement agencies published by the Department of Criminal Justice Training.
- ♦ Each state or local law enforcement agency that seizes property for the purpose of forfeiture under KRS 218A.410 shall, prior to receiving forfeited property, have one

CONTROLLED SUBSTANCES (cont'd)

or more officers currently employed attend asset-forfeiture training approved by the Kentucky Law Enforcement Council.

- ♦ Any vehicle seized by a law enforcement agency that is forfeited may be retained by the seizing agency for official use or sold at its discretion. Proceeds from the sale, after payment of any perfected security interest, shall remain with the agency to be used for purposes consistent with KRS 218A.405 to 218.460.
- ♦ Money or property seized in a joint operation involving more than one law enforcement agency or prosecutorial office shall be apportioned among the agencies in a manner to reflect the degree of participation of each agency in the law enforcement effort resulting in the forfeiture, as determined by the trial court and included in the final order of forfeiture.

SB 153 CERTIFICATION OF COURT SECURITY OFFICERS

Sponsor: Senator Richard Roeding (R-Lakeside Park)

SB 153 amends KRS 70.140 to permit certified court security officers to attend and keep order in any court of the Commonwealth upon appointment by the sheriff. The bill establishes training requirements for certification by the Kentucky Law Enforcement Council and the Administrative Office of the Courts of at least 80 hours of basic training and 40 hours of biennial in-service training. The measure additionally creates a new section of KRS Chapter 70 to permit the Administrative Office of the Courts to contract with a local city or county government to provide security services to any court in any county where the sheriff fails or refuses to provide services. Security personnel provided by a local government under contract with the Administrative Office of the Courts must be peace officers certified pursuant to KRS 15.380 to 15.404 or certified court security officers.

A certified court security officer may not perform general law enforcement duties outside that of providing court security. The purpose of SB 153 is to provide additional personnel for court security, including transfer of prisoners, to free deputy sheriffs for other duties.

HB 536 INCENTIVES FOR JOB RETENTION IN CONSOLIDATED LOCAL GOVERNMENT

Sponsor: Representative Joni Jenkins (D-Shively)

HB 536 adds a new subsection 25 to KRS Chapter 154 to establish an economic development incentive program consisting of tax credits and grants for job training related to retention of jobs in companies within the jurisdiction of a consolidated local government investing at least \$100 million in a job retention project for the acquisition, construction and installation of new equipment. Qualifying companies must have been in continuous operation for at least five years, employ at least 1,000 full-time persons engaged in manufacturing and have been previously approved for economic development incentives from the Commonwealth. EMERGENCY. Effective March 23, 2007.

HB 549 TAX INCREMENT FINANCING FOR COMMUNITY REDEVELOPMENT

Sponsor: Representative Larry Clark (D-Louisville)



HB 549 creates new sections of KRS Chapter 65 to expand and restructure tax increment financing (TIF) tools for use by local governments to provide incentives for public and private investment in community development and redevelopment projects. The legislation permits the capture of local tax increments resulting from investment in a development area to finance resources, usually in the form of public infrastructure, to support a development project. In some instances, the legislation also permits capture of state tax increments.

The primary focus of HB 549 is the use of tax increment financing to spur redevelopment and reuse of urban areas in need of rehabilitation. The legislation also permits the use of TIF for economic development projects on previously undeveloped land. All projects must be for the development of facilities for residential, commercial, industrial, public or recreational uses, or for open space, including the rehabilitation and improvement of real estate and buildings that contribute to economic development or tourism.

HB 549 establishes five categories of tax increment financing eligibility. Large projects meeting specified levels of capital investment can qualify to receive increments from both local and state taxes. TIF statutes enacted prior to HB 549 are time limited to existing projects and will thereafter have no force of law.

Local Only TIF for Previously Undeveloped Land

Any city or county can establish a local development area consisting of 1,000 acres or less on previously undeveloped land. Up to 100 percent of increments in local ad valorem and

occupational tax revenues resulting from investment in the development area may be pledged for a period of up to 20 years to support projects that promote economic development or tourism. State tax increments are not eligible for use in a Local Only TIF for Previously Undeveloped Land.

Local TIF for Redevelopment

Any city or county can establish a development area to encourage reinvestment in and reuse of areas where development is not reasonably expected to occur without public assistance. The area cannot exceed three square miles and must satisfy at least two of seven listed conditions relating to deterioration and blight. The city or county may pledge up to 100 percent of increments in ad valorem and occupational tax revenues resulting from investment in the development area for a period of up to 20 years to support redevelopment projects, including redevelopment assistance in the form of grant and loan programs, technical assistance, marketing and other support programs. Tax increments received by other local taxing jurisdictions, except school and fire districts, may be pledged to support a development or redevelopment project by agreement of the taxing district.

HB 549 establishes the process for creation of a development area for community redevelopment. A detailed plan for improvements in a qualifying geographic area must be prepared, usually in conjunction with a private developer. If a project will be located in a city, a determination must be made whether tax increments will be pledged from both the city and county. The development area may be established by the local legislative body by ordinance following a public hearing and adoption of the redevelopment plan. Revenue bonds may subsequently be issued by the local government to finance up-front costs, such as infrastructure investments and design improvements, needed to support a redevelopment project.

State Participation TIF Programs

Local TIF programs for community redevelopment that meet specified minimum capital investment thresholds and other requirements can apply for state participation. State tax increments eligible to be pledged to support a redevelopment project include real property ad valorem taxes, individual and corporate income taxes, the limited liability entity tax and sales taxes.

Applications for state participation in a local redevelopment TIF will be initially reviewed by the Division of Tax Increment Financing established within the Department of Revenue for conformity with statutory and regulatory requirements. Applications meeting all statutory and regulatory requirements will be referred to the State Tax Increment Financing Commission for final consideration. Members of the Commission include the Secretaries of Finance, Economic Development and Commerce; the State Budget Director; the chairperson of the Kentucky Economic Development Finance Authority and

the deans of the business schools at the University of Kentucky and University of Louisville. The Commission will determine what percentage, if any, of state incremental tax revenues will be pledged to support a project.

The Commonwealth offers three tax increment financing participation programs.

❖ **Property Tax Only State Participation TIF**

State participation under this program is limited to the support of approved public infrastructure costs determined to be necessary to support private investment in a development project that benefits the public where project economics are unable to support or secure the necessary financing to undertake infrastructure improvements. The program requires a minimum capital investment for state participation of \$10 million. The development area must be created as required for a Local TIF for Redevelopment. In addition to a minimum capital investment of \$10 million, no more than 20 percent of the capital investment or 20 percent of the finished square footage of a project can be devoted to support retail sales. The state may pledge up to 100 percent of the incremental revenues from the state real property ad valorem tax from the footprint of the project for a period of up to 20 years.

❖ **State Participation TIF for Mixed Use Redevelopment in Blighted Urban Areas**

State participation under this program is limited to support of approved public infrastructure costs and costs associated with land preparation, demolition and clearance determined to be necessary to support private investment in a mixed use project that benefits the public where project economics are unable to support or secure the necessary financing to undertake the public improvements. The program requires a minimum capital investment for state participation of \$20 million. To be considered for state participation under this program, a project must be created as a Local TIF Redevelopment in an area that satisfies at least three of seven listed conditions relating to deterioration and blight. "Mixed use" means a project that includes at least two of the following qualified uses: retail, residential, office, restaurant or hospitality. A qualified use must comprise at least 20 percent of the total finished square footage of the proposed project or represent 20 percent of the total capital investment. The state may pledge up to 80 percent of the incremental revenues from the identified state tax increments from the footprint of the project, including real property ad valorem taxes, individual and corporate income taxes, the limited liability entity tax and sales taxes for a period of up to 20 years. Applicants requesting state participation must submit a report prepared by an independent

consultant or financial advisor estimating the revenues and economic impacts associated with the project, along with a determination that the project will not occur without creation of the development area and the pledge of local and state incremental tax revenues.

❖ **Signature Project Program**

The purpose of the Signature Project Program is to encourage private investment in the development of major projects that will have a significant impact on the state, the magnitude of which warrants extraordinary public support. To be considered for state participation under this program, a development area must be created as required for a Local TIF for Redevelopment with a minimum capital investment of \$200 million. No more than 20 percent of the capital investment or 20 percent of the finished square footage of a project may be devoted to retail sales. Projects meeting the criteria are eligible to recover up to 100 percent of approved public infrastructure and related financing costs, less sales taxes paid, along with approved signature project costs determined by the State Tax Increment Financing Commission to be necessary for completion of the private development. The state may pledge up to 80 percent of the incremental revenues from the identified state tax revenues from the footprint of the project, including real property ad valorem taxes, individual and corporate income taxes, the limited liability entity tax and sales taxes for a period of up to 30 years. Sales taxes paid on the purchase of construction materials may additionally be refunded to assist in financing the project. Applicants requesting state participation must submit a report prepared by an independent consultant or financial advisor estimating the revenues and economic impacts associated with the project, along with a determination that the project will not occur without creation of the development area and the pledge of local and state incremental tax revenues.

EMERGENCY. HB 549 is effective March 23, 2007, except Section 18(2)(b) pertaining to the Signature Project Program has a delayed effective date of January 1, 2008.

SB 82 BROWNFIELD REDEVELOPMENT

Sponsor: Senator Bob Leeper (I-Paducah)

SB 82 amends KRS 132.010, 132.020, 132.200 and 141.418 to provide increased incentives for voluntary remediation of brownfield property. KRS 132.020 is amended to permit voluntarily remediated brownfield property to qualify for a reduced state ad valorem tax rate following issuance of a "No Further Action Letter" by the Environmental and Public Protection Cabinet, rather than the more difficult to obtain "Covenant Not to Sue." KRS 132.200 is likewise amended to exclude voluntarily remediated brownfield property from local taxation for a period of three years following issuance of a "No Further Action Letter" rather than a "Covenant Not to Sue." KRS 141.418 is amended to permit an income tax credit for taxpayer expenditures made to voluntarily remediate brownfield property consistent with a corrective action plan approved by the Environmental and Public Protection Cabinet following verification of receipts by the Cabinet.

SB 91 REGULATION OF FERTILIZER

Sponsor: Senator Joey Pendleton (D-Hopkinsville)

SB 91 amends KRS 217B.270 to add fertilizer as a product subject solely to state regulation. The legislation additionally creates a new section of KRS 250.361 - 250.451 to prohibit local governments from regulation of fertilizers regulated by the state pursuant to KRS 250.371, while preserving planning and zoning authority granted to local governments pursuant to KRS Chapter 100.

HB 107 INCOMPATIBLE OFFICES

Sponsor: Representative Tonya Pullin (D-South Shore)

HB 107 amends KRS 61.080 to clarify that service as a volunteer firefighter in a volunteer fire department or fire protection district is not incompatible with any state, county, district or city office in the Commonwealth.

SB 74 FIRE DISTRICT TAXES

Sponsor: Senator Ernie Harris (R-Crestwood)

SB 74 creates a new section of KRS Chapter 75 to provide that if taxes were collected by a fire district when no taxes were due for the tax year beginning January 1, 2005, tax money not refunded after two years shall not be considered unclaimed property of the state, but may be expended by the fire district board of trustees.

SB 60 UNIFORM FINANCIAL INFORMATION REPORTS

Sponsor: Senator Damon Thayer (R-Georgetown)



SB 60 amends KRS 65.910 to delete specific content requirements for Uniform Financial Information Reports (UFIR) in order to provide flexibility to the Governor's Office for Local Development (GOLD) to redesign the UFIR, which is required to be filed annually with GOLD by local governments.

SB 60 additionally amends KRS 65.905 to ensure that a county may continue to use its final quarterly report filed with GOLD to fulfill the requirement to file a Uniform Financial Information Report.

SB 74 BROADBAND DEPLOYMENT

Sponsor: Senator Ernie Harris (R-Crestwood)

SB 74 creates a new section of KRS Chapter 147A to require the Governor's Office for Local Development (GOLD) to encourage and track the deployment and adoption of broadband and information technology in Kentucky, report progress to the Legislative Research Commission annually and upon request, and ensure notification to the public of the availability of public funds for broadband and information technology investments prior to awarding any contracts or grants. SB 74 additionally permits GOLD to contract with a competent nonprofit organization to accomplish the objectives of SB 74.

SB 75 REORGANIZATION

Sponsor: Senator Dan Kelly (R-Springfield)

SB 76 reorganizes the Department for Local Government to change the name of the Department to Governor's Office for Local Development (GOLD), attach the Kentucky Infrastructure Authority to GOLD from the Office of the Governor and abolish the Kentucky Community Development Office, Kentucky Appalachian Commission, West Kentucky Corporation, Water Resource Development Commission, Appalachian Development Council, Flood Control Advisory Commission, County Officials' Compensation Board, Local Government Advisory Commission and the Kentucky Urban Affairs Council.

HB 490 CONSTRUCTION CONTRACTS

Sponsor: Representative Brent Yonts (D-Greenville)

HB 490 attempts to establish procedures for resolution of construction contract disputes. The measure prohibits enforcement of certain waiver provisions in construction contracts, establishes time limits for payments to contractors and subcontractors, and permits a contractor to recover costs resulting from a delay caused by the contracting entity.

The provisions of HB 490 apply to both public and private contracts. Contracts for residential construction and any contract for construction of facilities "owned, operated, leased, licensed, used, furnished or supplied for, by or in connection with the business of any utility" are exempted from the provisions of HB 490.

Payments on construction contracts entered into after the effective date of HB 490 must be made pursuant to the terms of the contract and HB 490, to be known as the Kentucky Fairness in Construction Act.

SB 10 INSTALLATION OF HVAC SYSTEMS

Sponsor: Senator Gary Tapp (R-Shelbyville)

SB 10 creates new sections of KRS 198B.650 to 198B.689 to require a permit for the installation of initial heating, ventilation and air conditioning (HVAC) systems. The Board of Heating, Ventilation and Air Conditioning Contractors within the Office of Housing, Buildings and Construction is granted authority to promulgate administrative regulations for the permitting process, including inspection protocols that ensure timely inspections and minimal interruption of the construction process.

Local governments with existing HVAC permitting and inspection programs shall, upon request, be authorized by the Office of Housing, Buildings and Construction to issue permits and make inspections within their respective jurisdictions. Local governments with existing programs requiring a permit for major repairs or substantial alterations to an HVAC system may continue to require those permits.

Other local government entities without existing HVAC permitting and inspection programs may apply to the Office of Housing, Buildings and Construction for approval to enforce the permitting and inspection requirements of KRS 198B.650 to 198B.689 within their respective jurisdictions, but they may not impose any inspection or permit requirements greater than the requirements of the Office of Housing, Buildings and Construction. All fees collected by a local government for enforcement of KRS 198B.650 to 198B.689 may be retained by the local government.

HOUSING, BUILDINGS AND CONSTRUCTION (cont'd)

An HVAC inspector must be a certified building inspector or have a minimum of six years of experience as a licensed HVAC journeyman mechanic or a licensed master HVAC contractor, in addition to current licensure in accordance with KRS 198B.658. A local government enforcing the requirements of KRS 198B.650 to 198B.689 may fix the compensation of local HVAC inspectors.

SB 10 has a DELAYED EFFECTIVE DATE of JULY 1, 2008, except that Section 2, pertaining to continued use of noncompliant HVAC systems, and Sections 5 and 9, pertaining to authority to enter permitted premises with the consent of the property owner to conduct inspections, shall not take effect until JANUARY 1, 2009.

HB 78 PEACE OFFICER CERTIFICATION

Sponsor: Representative Mike Cherry (D-Princeton)

HB 78 amends KRS 15.386, 15.392 and 15.400 to permit a peace officer to retain certified status if employed by another law enforcement agency subject to the certification requirements of KRS 15.380 to 15.404 within sixty (60) days after leaving a law enforcement agency subject to the certification requirements of KRS 15.380 to 15.404. HB 78 additionally amends KRS 15.380 to permit commonwealth detectives employed under KRS 69.110 and county detectives employed under KRS 69.360 to participate in the peace officer certification program upon request of the employing agency. The bill is RETROACTIVE to July 1, 2004.

HB 358 PEACE OFFICER CERTIFICATION

Sponsor: Representative Leslie Combs (D-Pikeville)

HB 358 creates a new section of KRS Chapter 15 to provide for revocation of certification of a peace officer certified pursuant to KRS 15.380 to 15.404. Grounds for revocation include: (1) failure to meet or maintain training requirements; (2) a plea of guilty to, conviction of or entering of an Alford plea to any felony and (3) prohibition by federal or state law from possessing a firearm. HB 358 additionally:

- ♦ Amends KRS 15.386 to specify courses required to be completed by a peace officer prior to return to active certification status from inactive status;
- ♦ Amends KRS 15.404 to permit an extension of time to complete basic or in-service training in the event of extenuating circumstances; and
- ♦ Amends KRS 15.404 to permit a waiver of annual in-service training requirements for peace officers serving on active duty in the United States Armed Forces.

SB 100 POLICE IN CONSOLIDATED LOCAL GOVERNMENT

Sponsor: Senator Julie Denton (R-Louisville)

SB 100 amends KRS 67C.319 pertaining to police force merit system boards to revise testing guidelines for promotion of police officers in consolidated local governments.

SB 104 CRISIS INTERVENTION TEAM TRAINING

Sponsor: Senator Julie Denton (R-Louisville)

SB 104 amends KRS 210.365 to require the Department for Mental Health and Mental Retardation Services to coordinate the development of Crisis Intervention Team (CIT) training designed to train law enforcement officers to effectively respond to persons who may have a mental illness, substance abuse disorder, mental retardation or developmental disability, in order to reduce injuries to officers and citizens, to reduce inappropriate incarceration, to reduce liability and to improve risk management practices for law enforcement agencies. The Department for Mental Health and Mental Retardation Services must submit the CIT training curriculum, along with the names of available instructors approved by the department to conduct or assist in the delivery of CIT training, to the Kentucky Law Enforcement Council no later than July 1, 2007. The Council is required to thereafter notify the State Police and all law enforcement agencies employing peace officers of the availability of CIT training. All CIT trained law enforcement officers must report encounters with persons who may have a disability covered by the Act to their law enforcement agency on a form provided with the CIT curriculum for compilation and submission of nonidentifying information to the Department for Mental Health and Mental Retardation on a monthly basis. Beginning December 1, 2008, the Department must annually aggregate the reports from law enforcement agencies for review by the Justice Cabinet, Criminal Justice Council and other state agencies.

SB 126 ARREST POWERS

Sponsor: Senator Katie Stine (R-Southgate)

SB 126 amends KRS 431.007 to permit a peace officer or deputy sheriff certified pursuant to KRS 15.380 to 15.404 to retain powers of arrest in another jurisdiction when officially requested by a law enforcement agency in another jurisdiction to provide assistance in any matter within the jurisdiction of the requesting law enforcement agency.

HB 514 OATHS OF OFFICE

Sponsor: Representative Steve Riggs (D-Louisville)

HB 514 amends KRS 62.010 and KRS 62.050 to grant a thirty (30) day exemption on any penalty for failure to take the oath of office or execute bond when the first Monday of a year falls on January 1. HB 514 additionally amends KRS 62.020 to permit the official oath of any state or local officer to be administered by a member of the General Assembly. EMERGENCY. Effective March 21, 2007.

SB 145 ADMINISTRATION OF OATHS

Sponsor: Senator Richard Roeding (R-Lakeside Park)

SB 145 amends KRS 62.040 and KRS 70.010 to permit oaths prescribed by KRS 64.040(2) and KRS 70.010(1) for peace officers and sheriffs to be administered by any person who may administer an oath pursuant to KRS 62.020. The measure additionally prohibits any person from administering the oath specified by KRS 64.040(2) and 70.010(2) to himself or herself and amends KRS 62.020 to permit the official oath of any state or local officer to be administered by a member of the General Assembly.

HB 355 AREA PLANNING COMMISSIONS

Sponsor: Representative Arnold Simpson (D-Covington)

HB 355 amends KRS 147.670 to permit area planning commissions organized pursuant to KRS 147.610 to 147.705 to enter into interlocal agreements pursuant to KRS 65.210 to 65.300 for the administration of code enforcement boards, urban renewal and redevelopment projects and the Uniform State Building Code.

HB 177 RECLASSIFICATION OF CRESTVIEW HILLS

Sponsor: Representative Jon Draud (R-Edgewood)

HB 177 reclassifies the City of Crestview Hills in Kenton County from a city of the fifth class to a city of the fourth class.

HB 296 WORKERS' COMPENSATION

Sponsor: Representative Joni Jenkins (D-Shively)

HB 296 amends KRS 342.340 to exempt public sector self insured employers from the requirement to post security to secure workers' compensation liabilities if the public employer has authority to raise taxes or tuition, issue bonds, raise fees or has other authority to generate funds.

HB 296 also amends KRS 304.13-167 to:

- ◆ Permit the Office of Insurance to approve rating plans for workers' compensation insurance that give identifiable consideration in the setting of rates to employers who implement a drug-free workplace program pursuant to administrative regulations adopted by the Office of Workers' Claims. Rating plans will take effect January 1, 2008.
- ◆ Permit the Office of Insurance to develop a schedule of premium credits for workers' compensation insurance for employers who have safety programs containing specified criteria as determined by the Office of Insurance and the Office of Workers' Claims. EMERGENCY. Effective March 23, 2007.

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