



# Weekly Legislative Report

## KACP KENTUCKY GENERAL ASSEMBLY LEGISLATIVE REPORT FOR WEEK ENDING FEB. 4

Thursday marked the 22<sup>nd</sup> day of the 60-day regular session. As of Thursday, 150 bills had been filed in the Senate; in the House, 456 bills have been filed. The General Assembly took a snow day Friday and did not meet.

### ***VIRTUAL TRAINING***

KACP continues to work closely with Rep. Kim Moser, R-Taylor Mill, and other law enforcement agencies on legislation that would expand virtual DOCJT training sessions. KACP met virtually Friday with members of the Beshear administration, Justice Cabinet Secretary Kerry Harvey, DOCJT Commissioner Nik Jelik and others to discuss the bill draft. Another meeting is scheduled for Wednesday.

### ***LEGISLATION KACP SUPPORTING***

#### **HOUSE**

##### **HB48. False reporting of crimes**

Filed by Rep. Phillip Pratt of Georgetown, the bill increases the penalties for falsely reporting an incident that results in an emergency response and creates a new law to allow law enforcement to seek civil damages arising from the false reporting of a crime. Passed House Judiciary Committee, awaiting action by the full House.

##### **HB56 First responder COVID-19 death benefits**

Sponsored Rep. Thomas Huff, R-Shepherdsville, the bill which would be retroactive, would amend the current statute on death benefits to include COVID-19 on the list of illnesses that can qualify a deceased first responder's family – including the families of law enforcement – for death benefits of \$80,000. The bill is retroactive, meaning any first responders who have died due to COVID-19 complications since March 2, 2020, would qualify. Bill has passed the Senate, awaiting action in the House. Assigned to Committee on Committees

##### **HB71 Cost of care**

Sponsored by Kim Banta, R-Fort Mitchell, Rep. Cherlynn Stevenson, D-Lexington, the bill would a pet owner responsible for the cost of care – including vet bills and boarding the animals – when animals are seized from

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a situation featuring fighting, hoarding or other forms of neglect. This saves cities and counties the cost of caring for the seized animals. Bill has not yet been assigned to committee.

### **HB79, Mental Health**

Filed by Rep. Bill Wesley, R-Ravenna, the bill amends state law to include telecommunicators as eligible participants in the Law Enforcement Professional Development and Wellness Program. Recommitted to Appropriations & Revenue.

### **HB135, Retirement benefits**

Filed by Rep. Buddy Wheatley, R-Covington, the bill changes the retirement benefits for members of the State Police Retirement System or in a hazardous position who were hired after Jan. 1, 2014, but before Jan. 1, 2023, from Tier 3 to Tier 2. Assigned to Committee on Committees.

### **HB141, Income tax exclusion for police officers**

Filed by Rep. Ryan Dotson, R-Winchester, the bill would exclude law enforcement officers from paying state income tax. Could be included in a larger tax reform bill. Assigned to Committee on Committees.

### **HB154, DUI blood tests**

Filed by Rep. Patrick Flannery, the bill would remove the penalty enhancement for refusal of a blood test. Bill passed House Judiciary Committee, awaiting action by the full House.

### **HB169, Retiree health benefits for hazardous duty members**

Filed by Reps. Kevin Bratcher, R-Louisville, and Buddy Wheatley, D-Covington, the bill would increase the hazardous duty under age 65 retiree health subsidy to \$40 per month for each year of hazardous duty service who began participating in the retirement system on or after July 1, 2003, and who are eligible for a fixed-dollar retiree health subsidy not tied to the premium. Assigned to Committee on Committees.

### **HB206, Law enforcement officer certification**

Filed by Rep. Rachel Roberts, D-Newport, and co-sponsored by two former KSP Troopers - Reps. Sal Santoro, R-Florence, and John Blanton, R-Salyersville - the bill would prohibit anyone who has been convicted of various misdemeanor offenses from being certified as a police officer. Assigned to Committee on Committees.

### **HB239, Constables**

Filed by Rep. Adam Koenig, R-Erlanger, the bill prohibits any constable elected for the first time after Jan. 1, 2023, from exercising general police powers unless certified, leaving all other constables unchanged. Assigned to Committee on Committees.

### **HB329, Enhanced criminal penalties for crimes committed during an emergency**

Filed by Rep. Ed Massey, R-Hebron, the House Judiciary Chairman, the bill provided enhanced penalties for criminal offenses, including theft, during a declared emergency. This bill was inspired by incidents and reports of looting following the recent western Kentucky tornadoes. Assigned to Committee on Committees

### **HB335, KLEC appointments**

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Filed by Rep. Adam Bowling, R-Middlesboro, the bill gives the Kentucky League of Cities (KLC) and Kentucky Assoc of Counties (KACO) the ability to submit names to the Governor for consideration on KLEC. Passed out of House Local Government Committee. Passed House; awaiting action in the Senate; Assigned to Senate State & Local Government Committee.

### **HB398, Riots**

Filed by Rep. Steve Sheldon, R-Bowling Green, and Rep. Ed Massey, R-Hebron, the bill creates enhanced penalties for any defendant convicted of a crime committed during a riot. Assigned to Committee on Committees.

### **HB414, Public safety personnel**

Filed by Rep. John Blanton, R-Salyersville, the bill would make it easier for cities to recruit and retain public safety personnel by making changes to current law, including removing the age limit for new hire and limitations to the number of retired police officers a city is allowed to employ. Assigned to Committee on Committees.

## **SENATE**

### **SB23, "Porch pirates" felony**

Filed by Sen. David Yates, D-Louisville, seeks to crack down on people who steal packages delivered through commercial carriers like Amazon or FedEx. The bill would make it a class D felony to steal or destroy such packages, mirroring the penalties for stealing U.S. mail. Bill passed the Senate; assigned to House Committee on Committees.

### **SB44, Riots**

Filed by Sen. Danny Carroll, R-Benton, and Sen. Mike Nemes, R-Louisville, the bill creates enhanced penalties for any defendant convicted of a crime committed during a riot. Assigned to Senate Judiciary Committee.

### **SB63, Personal information**

Filed by Sen. Danny Carroll, R-Benton, would exempt records revealing a law enforcement officers address from Open Records requests; would also allow officers to request that their personally identifiable information be designated as confidential and not publicly posted. Assigned to Senate Judiciary Committee.

### **SB64, First responder confidentiality**

Filed by Sens. Mike Wilson, R-Bowling Green, and Mike Nemes, R-Louisville, the bill would protect the confidentiality of first responders who participate in peer support counseling programs. Bill has passed the Senate; assigned to House Committee on Committees.

### **SB96, KLEC**

Filed by Sen. Mike Wilson, R-Bowling Green, and Sen. Danny Carroll, R-Benton, the bill would include the Bowling Green Police Department on the KY Law Enforcement Council (KLEC). Passed Senate; Awaiting committee assignment in the House

### **SB120, Local school districts police departments**

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**Filed** by Sen. Danny Carroll, R-Benton, the bill would allow local school boards to establish a police department for their local school districts. Assigned to Senate Education Committee.

**SB114, Catalytic converters**

Filed by Sen. Whitney Westerfield, the bill requires purchasers of catalytic converters to keep a record that contains proof of ownership. Assigned to Senate Judiciary Committee.

**LEGISLATION KACP OPPOSES**

**HOUSE**

**HB155, Certifying constables**

Filed by Rep. Ryan Dotson, R-Winchester, Rep. Bill Wesley, R-Ravenna, the bill would establish program – paid for by KLEFPF – for certifying and training constables. Bill has not yet been assigned to committee.

**HB224, Cannabis**

Filed by Rep. Nima Kulkarni, the bill makes possession of a personal use quantity of cannabis exempt from civil or criminal penalty. Assigned to Committee on Committees.

**LEGISLATION KACP TRACKING/MONITORING**

**HOUSE**

**HB29, Firearms legislation,**

Filed by Rep. Josh Bray, R-Mt. Vernon, the bill prohibits the enforcement of a federal ban or regulation of firearms. Assigned to Committee on Committees.

**HB63, School Resource Officers (SROs)**

Filed by Rep. Kevin Bratcher, R-Louisville, the bill would require the assignment of SROs to schools by Aug. 1, 2022, **No funding is provided in the bill.** Awaiting action in House Education Committee.

**HB122, Concealed carry**

Filed by Rep. Savannah Maddox, R-Dry Ridge, the bill would lower the age requirement for carrying a concealed weapon from 21 to 18. Assigned to Committee on Committees.

**HB124, Concealed carry/public buildings**

Filed Rep. Savannah Maddox, R-Dry Ridge, the bill would prevent postsecondary education facilities, local governments and units of state government from prohibiting the carrying of concealed deadly weapons. Assigned to Committee on Committees.

**HB137, KLEFPF payments**

Filed by Rep. Melinda Gibbons Prunty, R-Belton, the bill would allow the following to receive KLEFPF training stipend: An officer serving on a joint task force; and investigator employed by a county attorney; a process

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server for juvenile courts within a consolidated local government. Passed House Local Government Committee. Awaiting action by the full House.

### **HB158, Firearms**

Filed by Rep. Savannah Maddox, R-Dry Ridge, the bill would prohibit law enforcement from enforcing of any federal law that does not exist under the laws of Kentucky and limited firearms ownership. Assigned to Committee on Committees.

### **HB236, Hate crimes**

Filed by Rep. Nima Kulkarni, D-Louisville, the bill would define hate crimes and require law enforcement agencies to possess a written policy and procedures related to hate crimes. Assigned to Committee on Committees.

### **HB258, Distracted driving**

Filed by Rep. James Tipton, R-Taylorsville, the bill would allow the hands-free use of a personal communications device while driving. The legislation would make it illegal for a driver to use their hands to operate a personal communications device, such as a mobile phone, text messaging device, stand-alone computer, a GPS system, a personal digital assistant or any device capable of displaying a video, movie or visual image. Assigned to Committee on Committees.

### **HB292, Gun storage**

Filed by Rep. George Brown Jr., D-Lexington, the bill would make it a crime to unlawfully store a firearm and establish elements of the crime for recklessly allowing access to an unsecured firearm by a minor. Assigned to Committee on Committees.

### **HB331, Felony mediation**

Filed by Rep. Ed Massey, R-Hebron, the bill would promote felony mediation as a way to resolve felony criminal cases. Assigned to Committee on Committees.

## **SENATE**

### **SB24, Destroying firearms**

Filed by Sen. Karen Berg, D-Louisville, requires the destruction of confiscated firearms. Assigned to Senate Veterans, Military Affairs and Public Protection (VMAPP) Committee.

### **SB97, Child fatalities**

Filed by Sen. Danny Carroll, R-Benton, the bill would require law enforcement officer to request a blood, breath or urine test from a caregiver suspected of being under the influence at the time of a child fatality or near fatality, and to request a search warrant for the test if consent is not given by the caregiver. Assigned to Senate Health & Welfare Committee.

### **SB101, First responder videos**

Filed by Sen. Jared Carpenter, R-Richmond, the bill would create a misdemeanor unauthorized video or photos taken by a first responder. Passed out of Senate Judiciary Committee, awaiting action by the full Senate.

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## **OTHER ISSUES KACP IS SUPPORTING; AWAITING ON BILLS TO BE FILED**

### **Amendments to KRS [70.290](#)**

Another way to retain officer is to increase the amount of time a law enforcement officer must spend with a department before being able to move on. Too many officers are being hired by a department, going through training – which must be paid by cities and counties – and then leaving the department for a higher-paying job in another community or state.

KACP is working on legislation that would increase the mandated time an officer must spend with a department from three to five years as outlined in KRS [70.290](#). We also are asking for changes that would put Public University law enforcement departments and state agencies under the same rules as cities and counties.

### **COVID bonus pay**

Since 2022 is a session in which the legislature enacts a two-year budget, and with the state sitting on a projected \$2 billion surplus, there has been talk from Gov. Beshear and some legislators about offering a COVID bonus to front-line workers and first-responders. If those discussions advance, KACP will work to ensure that law enforcement is included in the bonus payout.

### **LEGISLATIVE CALENDAR**

The session is scheduled to last 60 days, the maximum allowed under the state constitution in even-numbered years.

Feb. 21 – No session on observance of Presidents' Day

Feb. 25 - Last day to introduce House bills

March 1 - Last day to introduce Senate bills

March 31 to April 12 – 10-day veto recess

April 13 and 14 – Final two days of session

Click [here](#) to see the 2022 session calendar

### **FOR MORE INFO**

As always, questions, suggestions, comments or concerns can be directed to Executive Director Shawn Butler, who can be reached at 859-743-2920 or [sbutler@kypolicechiefs.org](mailto:sbutler@kypolicechiefs.org) or KACP lobbyist Patrick Crowley, who can be reached at 859-462-4245 or [pcrowley@strategicadvisersllc.com](mailto:pcrowley@strategicadvisersllc.com)