

# Senator Givens gives Week 5 Legislative Update



**Senate report**  
State Sen. David Givens

During the General Assembly's fifth week of the 30-day legislative session, March came in like a lion, with over 30 bills clearing the Senate chamber. However, the legislative forecast is not calling for March to go out like a lamb, as plenty of work remains in Frankfort before the final day of session on March 30.

The following bills gained the Senate's approval and can now be considered by the state House of Representatives:

Senate Bill 29 establishes eligibility criteria for Medicaid managed care organizations (MCOs) and limits the number of MCOs contracted by the Kentucky Department for Medicaid Services to no more than three.

Senate Bill 30 is a consumer protection measure providing more information on and easing the process of canceling automatic renewals of service or product subscriptions. The bill would require businesses to be more transparent in subscription details and provide consumers with a simplified means of canceling them.

Senate Bill 33 establishes the Kentucky Cybersecurity Center (KentuckyCYBER) at the University of Louisville. KentuckyCYBER's purpose will include educating state and local agencies and private sector participants about maintaining secure cyber infrastructure and accelerating the adoption of cybersecurity systems in the commonwealth by combining the assets of higher education, state and federal agencies, and private companies. KentuckyCYBER's responsibilities will include providing nonpartisan cybersecurity advice and recommendations to Kentucky policymakers, workforce training to provide cybersecurity solutions for Kentucky businesses, state and local government, and federal, state, and local law enforcement, and enhancing economic development through cybersecurity initiatives. It would be responsible for providing cybersecurity resources, including, but not limited to, cyber ranges and incident response teams to assist state and local government, major economic sectors, including health care and manufacturing, and critical infrastructure systems operators throughout Kentucky. Additionally, it would be tasked to create a cyber-innovation ecosystem for the state and federal government, law enforcement, the private sector, and K-12 and higher education institutions to innovate rapidly. Finally, the bill would establish a cybersecurity research center and provide support to build the research capacity necessary to compete successfully for projects

funded by the federal government and private industry participants.

Senate Bill 37 modernizes the expertise available to the Kentucky Board of Pharmacy by establishing a broad range of knowledge in pharmacy practice within the board's advisory council. It also specifies the advisory council's membership and responsibilities to the Board of Pharmacy.

Senate Bill 43 is a measure to ensure we are considering the holistic good of loved ones in residential facilities. During COVID-19, families were closed off from those they loved, and sadly some residents in nursing homes passed away without the comfort of a loved one beside them. The General Assembly corrected this during last year's legislative session. Still, this bill expands exemptions for essential personal care visitors from prohibitions relating to visiting a resident in a community, health facility, mental hospital, or those receiving home or community-based Medicaid waiver services. The bill also exempts essential personal care visitors from visitation prohibitions during infectious disease outbreaks in communities mentioned above, regardless of their communicable disease status. Senate Bill 43 carries an emergency designation, which means it would go into effect immediately upon filing with the Kentucky Secretary of State's Office.

Senate Bill 79—Kentucky has one of the nation's highest rates of domestic violence. The state's Address Confidentiality Program, which currently serves fewer than 50 people and is operated by the Kentucky Secretary of State's Office, only allows victims of domestic violence to hide their addresses from voter rolls, which are available to the public. This bill strengthens the existing program by allowing protections without a court protective order and hiding their addresses from publicly available government records beyond voter rolls.

Senate Bill 81 allows certified private and parochial schools to adopt and operate a school calendar different from the local public school district in the county. The bill maintains the requirement of certified private and parochial schools' calendars, including the statutory minimum school term and instructional year.

Senate Bill 89 helps to address law enforcement workforce challenges, allowing urban-county governments to rehire police officers who have retired while allowing rehires to continue receiving all entitled retirement and health insurance benefits. They would not be permitted to accept additional benefits after rehiring. Eligible candidates will be hired for a one-year contract and be subject to yearly review by the employing urban-county government. If enacted

into law, urban-county governments could hire up to 25 retired officers, or a number equal to 10 percent of the police officers they employed in the previous year.

Senate Bill 104 comes in light of the concerning decision made by the Governor to appoint his active communications director to the Kentucky Authority for Educational Television board membership, which governs Kentucky Educational Television (KET). Many have concerns about the chilling effect political moves like that could have on the non-partisan operations of KET.

Senate Bill 104 maintains five gubernatorial-appointed members but prohibits the appointment of individuals employed by the executive branch within one year of their appointment and no more than two. If enacted, the bill would expire current membership but allows the governor to reappoint any member meeting the act's requirements. Finally, it designates the president of the Council on Postsecondary Education as a non-voting authority member, but terminable upon the president's transfer or departure from the role.

Senate Bill 110 strengthens the safety and practice of nursing in Kentucky by making various updates to laws relating to the Kentucky Board of Nursing (KBN) and nursing practice. The bill would allow KBN to take licensure action against a nurse listed on the adult caregiver misconduct registry or has a substantiated finding or judicial finding of abuse or neglect of a child. It would also allow a licensed nurse from a state, not a member of the Nurse Licensure Compact, to practice on a non-routine basis in Kentucky. Additionally, the number of nurse educators on KBN would be at least three and at most six.

Senate Bill 119 would protect child victims of sexual assault from additional trauma that could result in having to reflect on the abuse through a court proceeding. Replaces "sexual abuse" in the context of domestic abuse with "sexual assault" and defines "sexual contact" as the intentional touching of a person's intimate parts or the intentional touching of the clothing covering private parts so that a reasonable person can construe when contact in an alleged abuse case was for sexual arousal or gratification, done for a sexual purpose, or in a sexual manner with the intent of retribution or revenge, humiliation, or punishment.

Senate Bill 126 is a clean-up measure to 2021's House Bill 3, which relates to jurisdiction for constitutional challenges to state law, regulations, executive orders, and certain cabinets and departments. The bill would allow a plaintiff or defendant to have one change of venue in cases challenging

constitutionality. A case transfer notice is automatic and is accomplished by the Supreme Court of Kentucky clerk through random selection of a different judicial circuit and order to the original jurisdiction to transfer the action.

Senate Bill 129 would define terms and establish limitations on using automated license plate cameras to protect Kentucky residents' data. Entities, as defined in the act, may only retain license plate data for 90 days, except when the data is being used as evidence in a criminal prosecution or administrative investigation, has become subject to a subpoena, or for bridge toll collection activities through the request of the Kentucky Transportation Cabinet. The bill prohibits any recorded images or data captured by an ALPR from being sold for any purpose and any entity from making the data available except to law enforcement officers or agencies in response to a subpoena.

Automated license plate reader cameras have been deployed in numerous Kentucky communities. No statewide regulations exist on these cameras' storage and operation. According to the National Conference of State Legislatures, at least 16 states have laws addressing the use of these cameras or retention of data. This bill provides a framework for data storage and uses that these cameras collect.

Senate Bill 144 would amend the statute related to the Kentucky Battlefield Preservation fund. It would require a private nonprofit organization seeking grant funding from the Kentucky Battlefield Trust fund to provide matching funds from any non-state, a dollar-for-dollar basis for Civil War sites, and \$1 for every \$3 from the account of Revolutionary War sites. The bill also prevents grants from the fund from exceeding 50 percent of the land, or permanent protective interests appraised value therein without the state historic preservation officer's approval.

Senate Bill 169 would lower costs and expedite capital project completion for Kentucky school districts by authorizing local boards of education to engage in public-private partnerships (P3s). Our

cities and counties are already authorized to engage in P3s under current law. The measure amends the P3s delivery method of awarding contracts for capital construction projects related to the Kentucky Local Government Public-Private Partnership Board by:

1. Adding "local school district" to the definition of a "local government;" and
2. Adding provisions saying the local board of education is authorized to enter into P3s on behalf of a local school district.

Senate Bill 229 would strengthen communication between agencies regarding suspected child abuse cases. It requires an agency that is the reporting source also to notify local law enforcement, the Kentucky State Police, the commonwealth's attorney, or the county attorney when receiving suspected abuse or neglect of a child within their agency. Supervisors must cooperate with investigations of reports. The bill would also allow the Kentucky Cabinet for Health and Family Services to determine whether an announced or unannounced visit is necessary after receiving an allegation of child abuse or neglect. Finally, it establishes a class A misdemeanor for anyone who knowingly causes intimidation, retaliation, or obstruction of an investigation of child abuse and neglect.

Senate Joint Resolution 79 would establish a nuclear energy development working group, set membership, and task the working group to:

Identify barriers to deploying nuclear power generation resources and other related technologies in the commonwealth, including regulatory, statutory, financial, social, environmental, workforce and educational barriers.

Develop recommendations for how a permanent nuclear energy commission could address the barriers to deploying nuclear power generation resources and other related technologies in the commonwealth.

Consult with any federal, state, or local agencies, nonprofit organizations, private industry, or other impacted stakeholders on what the role of the permanent nuclear energy commission should be.

Develop recommendations for a required report on the group's efforts.

Joint resolutions carry the force of law without reforming existing statutory law.

Watch live legislative activity at KET.org/legislature. You can also track the status of other legislation by calling 866-840-2835, legislative meeting information at 800-633-9650, or leaving a message for lawmakers at 800-372-7181.

Senator David Givens, R-Greensburg, represents the 9th Senate District, including Barren, Edmondson, Green, and Hart Counties as well as northwestern Warren County. He serves as Senate president pro tempore and is Commission on Race and Access to Opportunity co-chair. Givens is a Senate Agriculture, Appropriations and Revenue, and Education committee member.

## PUBLIC NOTICE

My Town 267, LLC, 265 Industrial Park Road, Greensburg, KY 42743 hereby declares intentions to apply for a NQ Retail Malt Beverage Package License no later than March 15, 2023. The business to be licensed will be located at 265 Industrial Park Road, Greensburg, KY 42743 doing business as My Town 267. The owner is Piyush Patel, 2816 Lost Lakes Way, Powder Springs, GA 30127. Any person, association, corporation or body politic may protest the granting of the license(s) by writing the Department of Alcoholic Beverage Control, 500 Mero Street, 2NE 33, Frankfort, KY 40601-8400, within 30 days (KRS 243.430) of the date of this legal publication.

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at 4:45 p.m. on Thursday, March 23, 2023 in the Courtroom of the Green County Courthouse, 203 West Court Street, Greensburg, Kentucky, to consider:

Proposal to discontinue and close "Graham Cemetery Spur" (CR #1356), said road beginning at the intersection of Graham Cemetery Road and Graham Cemetery Spur, and extending in a northerly direction a distance of approximately 1,690 feet along the chip sealed portion of the road in the Hudgins Community of Green County, Kentucky.

/s/ John Frank  
Green County Judge/ Executive



## Public Notice

Commonwealth of Kentucky  
Court of Justice  
Eleventh Judicial District Court  
Green County  
Probate Division  
Karen Gilpin, Clerk

In compliance with Section 424.30 and Chapter 424.120, **KENTUCKY REVISED STATUTES**, NOTICE IS HEREBY GIVEN that the following **FIDUCIARY APPOINTMENTS** have been made by the court:

NAME ADDRESS OF DECEDENT OR WARD	NAME & ADDRESS OF FUDICIARY	NAME & ADDRESS OF ATTY REPRESENTING FUDICIARY	DATE OF APPT	CREDITORS MUST FILE CLAIMS BY
SHERRELL MILBY 207 Summersville Road Greensburg, KY 42743	LUCAS MILBY 2024 Old Greensburg Road Campbellsville, KY 42718	JOHN BERTRAM P.O. Box 1155 Campbellsville, KY 42718	2-17-23	8-17-23
	CHRISTINA MILBY 894 Woodhill Road Campbellsville, KY 42718			
CLAYTON JAMES ARNETT 200 Nancy Street, Apt. 2A Greensburg, KY 42743	RHONDA M. RODGERS 2198 Bluffboom Road Greensburg, KY 42743	RUSSELL W. GOFF 116 S. Main Street Greensburg, KY 42743	2-23-23	8-23-23
	JAMES DOUGLAS ARNETT 945 Sandridge Road Magnolia, KY 42757			