NEWS

 • Bill focused on addressing racial disparities passes House. Click to read more. [ <https://kychamberbottomline.com/2021/03/12/bill-focused-on-addressing-racial-disparities-passes-house/> ]

 • Legislative update: Bills dealing with child support and water infrastructure see passage Thursday evening. Click to read more. [ <https://kychamberbottomline.com/2021/03/11/legislative-update-bills-dealing-with-child-support-and-water-infrastructure-see-passage-thursday-evening/> ]

 • Legislation helping businesses who received PPP loans moves to final legislative step. Click to read more. [ <https://kychamberbottomline.com/2021/03/11/legislation-helping-businesses-who-received-ppp-loans-moves-to-final-legislative-step/> ]

 • Fraudulent unemployment insurance claims are delaying legitimate benefit payments to Kentuckians, state officials say. Click to read more. [ <https://kychamberbottomline.com/2021/03/11/fraudulent-unemployment-insurance-claims-are-delaying-legitimate-benefit-payments-to-kentuckians-state-officials-say/> ]

 • Making higher education financial aid available to those with past conviction and changes to Board of Education move to Senate. Click to read more. [ <https://kychamberbottomline.com/2021/03/11/making-higher-education-financial-aid-available-to-those-with-past-conviction-and-changes-to-board-of-education-move-to-senate/> ]

 • President Biden signs $1.9 trillion stimulus package with direct payment to individuals, money for states, and more. Click to read more. [ <https://kychamberbottomline.com/2021/03/10/congress-passes-1-9-trillion-stimulus-package-with-direct-payment-to-individuals-money-for-states-and-more/> ]

 • Simmons College of Kentucky brings together education and business leaders dedicated to achieving racial equity and education justice. Click to read more. [ <https://kychamberbottomline.com/2021/03/10/simmons-college-of-kentucky-brings-together-education-and-business-leaders-dedicated-to-achieving-racial-equity-and-education-justice/> ]

 • America’s transportation systems and infrastructure get C- grade on new report card. Click to read more. [ <https://kychamberbottomline.com/2021/03/10/americas-transportation-systems-and-infrastructure-get-c-grade-on-new-report-card/> ]

 • Lawmakers must pass three key issues to be able to call 2021 session a success, Kentucky Chamber says. Click to read more [ <https://kychamberbottomline.com/2021/03/09/lawmakers-must-pass-three-key-issues-to-be-able-to-call-2021-session-a-success-kentucky-chamber-says/> ] .

 • Groups encourage Gov. Beshear to swiftly sign Recovery Ready legislation into law. Click to read more. [ <https://kychamberbottomline.com/2021/03/08/groups-encourage-gov-beshear-to-swiftly-sign-recovery-ready-legislation-into-law/> ]

 • Unemployment rate increased to 6.6% in 2020. Click to read more. [ <https://kychamberbottomline.com/2021/03/08/unemployment-rate-increased-to-6-6-in-2020/> ]

FROM THE CAPITOL

The 2021 session is coming to a close. There are now only four legislative days remaining and much to do on the priorities of the business community.

The Kentucky Chamber wrote to all legislators Tuesday urging them to take action on three key priorities to help the state and small businesses recover from the COVID-19 pandemic. [ <https://kychamberbottomline.com/2021/03/09/lawmakers-must-pass-three-key-issues-to-be-able-to-call-2021-session-a-success-kentucky-chamber-says/> ] In the letter, the Chamber said transportation investment, liability protections for small businesses, schools, and others, and money for the state’s drained unemployment insurance fund must be prioritized.

“Without tackling these issues, the legislature will have neglected to truly help get our economy back on track and ensure employers can recover from the pandemic,” Kentucky Chamber President and CEO Ashli Watts wrote.

The Chamber has been communicating with legislators directly this week on many of these issues through letters, text messages, calls, and more.

One of the most important issues to small business recovery from COVID-19 passed the Senate this week and now only needs a concurrence vote in the House before heading to the governor.

House Bill 278, sponsored by Rep. Patrick Flannery, would allow small businesses and self-employed individuals in Kentucky who have received a forgivable PPP loan to deduct expenses paid with the loan. [ <https://kychamberbottomline.com/2021/03/11/legislation-helping-businesses-who-received-ppp-loans-moves-to-final-legislative-step/> ]

In an effort to give Kentuckians a second chance after a previous conviction, legislation to expand access to Kentucky Education Excellence Scholarship (KEES) money passed out of the Senate Education Committee Thursday. [ <https://kychamberbottomline.com/2021/03/11/making-higher-education-financial-aid-available-to-those-with-past-conviction-and-changes-to-board-of-education-move-to-senate/> ] This bill now awaits a vote by the full Senate before heading to the governor.

Other legislation, including changes to the child support system, water infrastructure, the Kentucky Board of Education, underground excavation, and more, also saw movement this week (find these stories in the list above).

Legislative action only took action on Thursday and Friday of this week, and they will reconvene Monday and Tuesday for final legislative action before the veto days.

OTHER UPDATES

Make sure you are following all relevant news from the Capitol on The Bottom Line and download our app by searching Bottom Line KY in your app store.

KEY BILLS

COMPETITIVENESS

 • LEGISLATIVE CALENDAR (HB 4 [ <https://apps.legislature.ky.gov/record/21rs/hb4.html> ] ) Eliminates existing dates by which the General Assembly must adjourn in any regular session and gives legislature the authority to extend the length of its legislative sessions by up to 10 days upon the vote of a 3/5 majority. Passed Senate, awaiting concurrence in House.

 • RECOVERY READY COMMUNITIES (HB 7 [ <https://apps.legislature.ky.gov/record/21rs/hb7.html> ] ) Establishes an advisory council to develop a framework for a Recovery Ready Community certification in response to substance use disorders. Delivered to Governor.

 • RETIREMENT SYSTEM CALCULATION (HB 8 [ <https://apps.legislature.ky.gov/record/21rs/hb8.html> ] ) Changes the Kentucky Employees Retirement System's nonhazardous unfunded liability payment from a value that is paid as a percent of pay on each employee to a set dollar amount (level dollar). Passed House with amendments.

 • EXEMPTIONS FOR DISASTER RESPONSE EMPLOYEES (HB 84 [ <https://apps.legislature.ky.gov/record/21rs/hb84.html> ] ) Provides tax relief for disaster response employees and disaster response entities. Passed Senate, received in House.

 • FELONY THEFT (HB 126 [ <https://apps.legislature.ky.gov/record/21rs/hb126.html> ] ) Increases the felony theft/fraud thresholds to $1,000. Awaits passage on Senate floor.

 • EXECUTIVE BUDGET (HB 192 [ <https://apps.legislature.ky.gov/record/21rs/hb192.html> ] ) Executive branch budget. Free Conference Committee formed.

 • KYTC BUDGET (HB 193 [ <https://apps.legislature.ky.gov/record/21rs/hb193.html> ] ) Transportation Cabinet budget. Free Conference Committee formed.

 • LEGISLATIVE BRANCH BUDGET (HB 194 [ <https://apps.legislature.ky.gov/record/21rs/hb194.html> ] ) Legislative branch budget. Free conference committee formed.

 • JUDICIAL BRANCH BUDGET (HB 195 [ <https://apps.legislature.ky.gov/record/21rs/hb195.html> ] ) Judicial branch budget. Free conference committee formed.

 • ADOPTION LEAVE (HB 210 [ <https://apps.legislature.ky.gov/record/21rs/hb210.html> ] ) Requires employers that provide leave for birth parents to provide the same leave for an adoptive parent. Awaits passage on Senate floor.

 • CHILD AND MATERNAL REPORTING (HB 212 [ <https://apps.legislature.ky.gov/record/21rs/hb212.html> ] ) Requires the child and maternal fatality annual report to include a demographic analysis by race, income, and geography. Passed Senate Health and Welfare Committee.

 • TEACHERS RETIREMENT REFORM (HB 258 [ <https://apps.legislature.ky.gov/record/21rs/hb258.html> ] ) Reforms the teachers' retirement system to include a combination of a defined benefit and supplemental benefit for new members after Jan. 1, 2022. In State and Local Government Committee.

 • PPP TAX DEDUCTION (HB 278 [ <https://apps.legislature.ky.gov/record/21rs/hb278.html> ] ) Conforms with federal law to allow deductions paid with proceeds from a forgiven loan under the Paycheck Protection Program. Awaits concurrence in the House.

 • BROADBAND (HB 348 [ <https://apps.legislature.ky.gov/record/21rs/hb348.html> ] ) Creates the Office of Innovation in the Department of Agriculture to oversee the broadband deployment fund. Recommitted to House Appropriations and Revenue Committee.

 • COMMISSION/ COMMITTEE ON RACE (SB 10 [ <https://apps.legislature.ky.gov/record/21rs/sb10.html> ] ) Creates a Commission on Race and Access to Opportunity. Passed House with floor amendment.

 • DATA CENTERS (HB 372 [ <https://apps.legislature.ky.gov/record/21rs/hb372.html> ] ) Establishes a data center tax credit. In Senate Appropriations and Revenue Committee.

 • FLAGRANT NONSUPPORT (HB 402 [ <https://apps.legislature.ky.gov/record/21rs/hb402.html> ] ) Increases the amount qualifying for flagrant nonsupport from $1,000 to $5,000. Passed Senate.

 • UNEMPLOYMENT INSURANCE (HB 413 [ <https://apps.legislature.ky.gov/record/21rs/hb413.html> ] ) Suspends taxable wage base and holds the 2020 tax schedule for 2021 and 2022 and requires all benefits paid due to a declared emergency come from a pooled account and not individual employers reserve accounts. In Senate Economic Development, Tourism, & Labor Committee.

 • OSHA RULES (HB 475 [ <https://apps.legislature.ky.gov/record/21rs/hb475.html> ] ) Requires state Occupational Safety and Health regulations be no more stringent than the corresponding federal rule. In Senate Economic Development, Tourism, & Labor Committee.

 • CERTIFICATE OF EMPLOYABILITY (HB 497 [ <https://apps.legislature.ky.gov/record/21rs/hb497.html> ] ) Creates a Certificate of Employability for those who are incarcerated that acquire certain education credits and meet other eligibility requirements. Assigned to Senate Judiciary Committee.

 • FALSE CLAIMS ACT (HB 553 [ <https://apps.legislature.ky.gov/record/21rs/hb553.html> ] ) Amended significantly to now only pertain to penalties for UI fraud. Passed House with amendments.

 • TRANSPORTATION REVENUE (HB 561 [ <https://apps.legislature.ky.gov/record/21rs/hb561.html> ] ) Creates meaningful new revenue to improve Kentucky’s roads and bridges and establishes a multi-modal transportation fund. Assigned to House Appropriations & Revenue Committee.

 • TAX CREDIT SUNSETS (HB 575 [ <https://apps.legislature.ky.gov/record/21rs/hb575.html> ] ) Eliminates various tax credits. Assigned to House Appropriation and Revenue Committee.

 • WEST END DEVELOPMENT (HB 587 [ <https://apps.legislature.ky.gov/record/21rs/hb587.html> ] /588 [ <https://apps.legislature.ky.gov/record/21rs/hb588.html> ] ; SB 100 [ <https://apps.legislature.ky.gov/record/21rs/sb100.html> ] /125 [ <https://apps.legislature.ky.gov/record/21rs/sb125.html> ] ) Establishes the West End Opportunity Partnership that offers investment and economic solutions to Louisville’s West End neighborhoods. HB 587/588- In House Appropriations and Revenue Committee. SB 100 Introduced in Senate; SB 125 Assigned to Senate Appropriation and Revenue Committee.

 • LIABILITY PROTECTIONS DURING A DECLARED EMERGENCY (SB 5 [ <https://apps.legislature.ky.gov/record/21rs/sb5.html> ] ) Provides liability protection for owners of premises during a declared emergency and provides governmental immunity for those providing essential services during an emergency. In House Judiciary Committee.

 • UNEMPLOYMENT INSURANCE BENEFITS (SB 7 [ <https://apps.legislature.ky.gov/record/21rs/sb7.html> ] ) adds language to set waiver of overpayment criteria, allocation of CARES Act money, waiver application deadlines, require program integrity provisions, and make an appropriation by allocating CARES money to UI trust fund. Signed by Governor.

 • JUVENILE JUSTICE (SB 36 [ <https://apps.legislature.ky.gov/record/21rs/sb36.html> ] ) Returns discretion to local prosecutors and local judges in local communities, instead of creating automatic transfers of minors in certain cases from District to Circuit Court. Passed House Judiciary Committee.

 • ALCOHOL TAKEOUT AND DELIVERY (SB 67 [ <https://apps.legislature.ky.gov/record/21rs/sb67.html> ] ) Allow alcohol to be purchased to go or for delivery in conjunction with a meal. Delivered to the Governor.

 • DISTILLING LICENSING (SB 68 [ <https://apps.legislature.ky.gov/record/21rs/sb68.html> ] ) Makes changes to distilling licenses. Delivered to Governor.

 • BLIGHTED PROPERTY (SB 105 [ <https://apps.legislature.ky.gov/record/21rs/sb105.html> ] ) Makes changes related to rehabilitation of an abandoned or blighted property. Delivered to Governor.

EDUCATION

 • KENTUCKY EDUCATIONAL EXCELLENCE SCHOLARSHIP (HB 25 [ <https://apps.legislature.ky.gov/record/21rs/hb25.html> ] ) Removes the requirement that an eligible high school student and eligible postsecondary student not be a convicted felon for KEES eligibility purposes. Passed Senate Education Committee.

 • DUAL CREDIT SCHOLARSHIPS (HB 383 [ <https://apps.legislature.ky.gov/record/21rs/hb383.html> ] ) Adds two career and technical education courses per year to the Dual Credit Scholarship. Recommitted to Appropriations and Revenue Committee.

 • KENTUCKY BOARD OF EDUCATION (HB 178 [ <https://apps.legislature.ky.gov/record/21rs/hb178.html> ] ) Requires the same representation of political parties and racial diversity as the state’s university boards on the state board of education and prevents the board from being reorganized every four years after an election. Passed Senate Education Committee with amendment.

 • FAFSA REQUIREMENT (HB 253 [ <https://apps.legislature.ky.gov/record/21rs/hb253.html> ] ) Makes completion of the FAFSA a high school graduation requirement. Awaits passage on House floor.

 • EARLY LITERACY (SB 115 [ <https://apps.legislature.ky.gov/record/21rs/sb115.html> ] ) Expands evidence-based reading intervention supports to help ensure grade-level literacy before a student reaches fourth grade. Received in House.

 • EARLY ENTRY INITIATIVE (HB 271 [ <https://apps.legislature.ky.gov/record/21rs/hb271.html> ] ) Pilot program to increase national board-certified teachers. HB 271 Awaits passage on House Floor.

 • EXPAND KENTUCKY EDUCATIONAL EXCELLENCE SCHOLARSHIP (HB 338 [ <https://apps.legislature.ky.gov/record/21rs/hb338.html> ] ) Expand KEES eligible institutions in Kentucky. In Senate Education Committee.

 • SUPERINTENDENT SCREENING (SB 77 [ <https://apps.legislature.ky.gov/record/21rs/sb77.html> ] ) Require greater minority representation on a screening committee in a school district with a minority student population of 50% or greater. Awaits passage on House floor.

 • FUNDING FORMULA (SB 135 [ <https://apps.legislature.ky.gov/record/21rs/sb135.html> ] ) Adjusts the parameters used for postsecondary education performance-based funding model. Signed by Speaker of the House.

 • CHILD CARE (SB 148 [ <https://apps.legislature.ky.gov/record/21rs/sb148.html> ] ) Restricts regulations local governments can impose on certified family child care homes. Prescribes what regulations the Cabinet for Health and Family Services may promulgate regarding child care centers during an emergency. Passed House Health & Family Services Committee.

HEALTH CARE

 • MENTAL HEALTH PARITY REQUIREMENTS (HB 50 [ <https://apps.legislature.ky.gov/record/21rs/hb50.html> ] ) Defines “classification of benefits” and “nonquantitative treatment limitation” and modifies mental health parity requirements by requiring parity coverage for nonquantitative treatment limitations and medical necessity criteria. Delivered to Governor.

 • EXEMPTIONS FOR DISASTER RESPONSE BUSINESSES AND EMPLOYEES (HB 84 [ <https://apps.legislature.ky.gov/record/21rs/hb84.html> ] ) Provides exemptions for disaster response employees and disaster response entities from income tax beginning on or after January 1, 2021, and before January 1, 2025. Passed Senate.

 • CAP ON COST-SHARING REQUIREMENTS FOR PRESCRIPTION INSULIN (HB 95 [ <https://apps.legislature.ky.gov/record/21rs/hb95.html> ] ) cap the cost-sharing requirements for prescription insulin at $30 per 30 day supply; amend statutes to require the Kentucky Employee Health Plan to comply. Awaits concurrence in the House.

 • ADDICTION TREATMENT (SB 51 [ <https://apps.legislature.ky.gov/record/21rs/sb51.html> ] ) prohibit insurers from requiring or using certain utilization reviews for certain prescription drugs used to treat alcohol or opioid use disorder; require insurers to report the number and type of providers prescribing medication for addiction treatment. Passed House Health and Family Services Committee.

 • TELEHEALTH (HB 140 [ <https://apps.legislature.ky.gov/record/21rs/hb140.html> ] ) Establishes minimum standards for telehealth under the Cabinet for Health and Family Services (CHFS); reestablishes requirement of CHFS and MCO’s to study the impact of telehealth on the state’s health care delivery system; prohibits certain practices in telehealth. Awaits concurrence in the House.

 • PHARMACY BENEFITS IN THE MEDICAID PROGRAM (HB 222 [ <https://apps.legislature.ky.gov/record/21rs/hb222.html> ] ) Requires the Department for Medicaid Services to contract with an independent entity to monitor all Medicaid pharmacy benefit claims; establish eligibility requirements for an entity seeking to contract with the department to monitor pharmacy benefit claims; establish requirements for analyzing and monitoring claims. Assigned to Senate Health and Welfare Committee.

 • VACCINATIONS: (SB 8 [ <https://apps.legislature.ky.gov/record/21rs/sb8.html> ] ) Provides exemptions from mandatory vaccines based on conscientiously held beliefs. Passed House floor with committee substitute.

 • MENTAL HEALTH TREATMENT (SB 21 [ <https://apps.legislature.ky.gov/record/21rs/sb21.html> ] ) Permits voluntary transport to a hospital or psychiatric facility with authorization of the originating and receiving hospital or facility and a patient's signed written agreement to be voluntarily transported and to not be physically removed during transport. Awaits passage on House floor.

 • SURGICAL SMOKE (SB 38 [ <https://apps.legislature.ky.gov/record/21rs/sb38.html> ] ) Directs the Cabinet for Health and Family Services to promulgate administrative regulations requiring the use of a smoke evacuation system during any surgical procedure that is likely to produce surgical smoke. Passed House floor.

 • INSURANCE PREMIUMS (SB 44 [ <https://apps.legislature.ky.gov/record/21rs/sb44.html> ] ) Requires health benefit plans to accept, and count towards the insured's contributions, premium, and cost-sharing payments made on behalf of an insured from state or federal government programs, Indian or tribal organizations, and certain tax-exempt organizations. Awaits passage on House floor.

 • PRESCRIPTION DRUGS (SB 45 [ <https://apps.legislature.ky.gov/record/21rs/sb45.html> ] ) Redefines "cost-sharing" and define "generic alternative," "health plan," "insured," and "person"; prohibit an insurer or pharmacy benefit manager from excluding any cost-sharing amount paid by or on behalf of an insured when calculating the insured's contribution to any applicable cost-sharing requirement. Awaits passage on House floor.

 • COPAYMENTS BY MEDICAL ASSISTANCE RECIPIENTS (SB 55 [ <https://apps.legislature.ky.gov/record/21rs/sb55.html> ] ) Prohibits the cabinet or a managed care organization contracted to provide services from instituting copayments, cost-sharing, or similar charges to be paid by any medical assistance recipients, their spouses, or parents, for any assistance provided pursuant KRS Chapter 205, federal law, or any federal Medicaid waiver. Passed House Health and Family Services Committee.

 • MEDICAID MANAGED CARE CONTRACTS (SB 56 [ <https://apps.legislature.ky.gov/record/21rs/sb56.html> ] ) Limits the number of state-managed care organization (MCO) contracts to operate the Medicaid program to three. Assigned to House Health and Family Services Committee.

 • DIRECT CARE STAFF (SB 61 [ <https://apps.legislature.ky.gov/record/21rs/sb61.html> ] ) Defines "direct-care staff member," "Facilities or programs," and "recipient;" requires direct-care staff who provide care for a client with Alzheimer's or another form of dementia within the client's home to receive initial and ongoing training that is approved by the Cabinet for Health and Family Services. Passed House Health and Family Services Committee.

 • PNEUMOCONIOSIS FUND (SB 141 [ <https://apps.legislature.ky.gov/record/21rs/sb141.html> ] ) Provides guidelines for distribution of funds remaining in the Kentucky coal workers’ pneumoconiosis fund. Delivered to Governor.

ENERGY AND ENVIRONMENT

 • UTILITY SERVICE (HB 207 [ <https://apps.legislature.ky.gov/record/21rs/hb207.html> ] ) Prohibits a local government entity from taking action that has the purpose or effect of impairing a consumer's ability to use a utility service. Awaits concurrence in House.

 • UNDERGROUND UTILITIES (HB 303 [ <https://apps.legislature.ky.gov/record/21rs/hb303.html> ] ) Increases public safety by protecting underground utility facilities. Awaits passage on Senate floor.

 • MIXING ZONES (HB 386 [ <https://apps.legislature.ky.gov/record/21rs/hb386.html> ] ) requires that mixing zones for bioaccumulative chemicals of concern established on or before September 8, 2004, remain in effect until explicitly extinguished by the Energy and Environment Cabinet. Delivered to Governor.

 • UTILITY ACQUISITION (HB 465 [ <https://apps.legislature.ky.gov/record/21rs/hb465.html> ] ) Bolsters existing precedent to provide a local option for addressing water and wastewater challenges through partnership with the private sector. Passed House.

 • STREAM AND WETLAND MITIGATION (SB 261 [ <https://apps.legislature.ky.gov/record/21rs/sb261.html> ] ) Establishes a study to address the significant and growing mitigation liabilities in the fee-in-lieu of program. Received in House.

 • UNDERGROUND UTILITY (SB 172 [ <https://apps.legislature.ky.gov/record/21rs/sb172.html> ] ) Includes exempted activities in the process of ceasing operations when damage occurs to an underground facility and notification of appropriate authorities. Passed House Agriculture Committee.

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