

1 AN ACT relating to the regulation of cannabis and making an appropriation
2 therefor.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. KRS CHAPTER 245 IS ESTABLISHED AND A NEW
5 SECTION THEREOF IS CREATED TO READ AS FOLLOWS:

6 *As used in this chapter, unless the context requires otherwise:*

- 7 *(1) "Board" has the same meaning as in KRS 241.010;*
- 8 *(2) "Cannabis" has the same meaning as "marijuana" as defined in KRS 218A.010;*
- 9 *(3) "Cannabis accessory" means any item used for ingestion, inhalation, or storage*
10 *of cannabis;*
- 11 *(4) "Cannabis administrator" means the administrator of the Cannabis Division in*
12 *the Department of Alcoholic Beverage Control;*
- 13 *(5) "Cannabis product" means any item that contains cannabis, and includes but is*
14 *not limited to gummies, candies, baked goods, oils, lotions, and creams;*
- 15 *(6) "Department" has the same meaning as in KRS 241.010;*
- 16 *(7) "Immature cannabis plant" means a plant that is a seedling or that has not yet*
17 *produced flowers;*
- 18 *(8) "License" means any license issued pursuant to this chapter;*
- 19 *(9) "Licensee" means any holder of a license issued by the department under this*
20 *chapter;*
- 21 *(10) "Mature cannabis plant" means a plant that has produced flowers;*
- 22 *(11) "Population" has the same meaning as in KRS 241.010;*
- 23 *(12) "Premises" means the land, building, and vehicle in which any business*
24 *regulated by this chapter is operated or carried on;*
- 25 *(13) "THC" means tetrahydrocannabinol; and*
- 26 *(14) "Traffic" or "trafficking" means the licensed growing of cannabis, and*
27 *transporting, processing, or selling of cannabis or cannabis products.*

1 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
2 READ AS FOLLOWS:

3 All cannabis and cannabis products grown, manufactured, produced, or sold under
4 this chapter shall be tracked from seed to consumer with the use of a tracking system.
5 The department may promulgate administrative regulations as needed to ensure
6 compliance with this section.

7 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
8 READ AS FOLLOWS:

9 (1) The board shall promulgate an administrative regulation for a license
10 application, and may require that license applications contain the following
11 information, given under oath:

12 (a) The name, age, Social Security number, address, residence, and citizenship
13 of each applicant;

14 (b) If the applicant is a partner, the name, age, Social Security number,
15 address, residence, and citizenship of each partner and the name and
16 address of the partnership;

17 (c) The name, age, Social Security number, address, residence, and citizenship
18 of each individual or partner interested in the business for which the license
19 is sought, together with the nature of that interest, and if the applicant is a
20 corporation, limited partnership company, limited liability company, or
21 other business entity recognized by law, the name, age, Social Security
22 number, and address of each principal owner, member, officer, and director
23 of the applicant. The department may require the names of all owners and
24 the ownership percentage held by each;

25 (d) The premises to be licensed, stating the street and number, if the premises
26 has a street number, and a description that will reasonably indicate the
27 location of the premises;

- 1 (e) 1. A statement that neither the applicant nor any person referred to in
2 this section has been convicted of:
- 3 a. Any violation involving a controlled substance that is described
4 in or classified pursuant to KRS Chapter 218A within the two (2)
5 years immediately preceding the application;
- 6 b. Any felony, within five (5) years from the later date of the date of
7 parole or the date of conviction; or
- 8 c. Providing false information to the department preceding the
9 application; and
- 10 2. A statement that the applicant or any other person referred to in this
11 section has not had any license that has been issued under any
12 cannabis statute revoked for cause within two (2) years prior to the
13 date of the application;
- 14 (f) A statement that the applicant will in good faith abide by every state and
15 local statute, regulation, and ordinance relating to the growing,
16 manufacture, sale, use of, and trafficking in cannabis and cannabis
17 products; and
- 18 (g) Any other information necessary for the department to administer this
19 chapter.
- 20 (2) If, after a license has been issued, there is a change in any of the facts required to
21 be set forth in the application, a verified supplemental statement in writing giving
22 notice of the change shall be filed with the department within ten (10) days after
23 the change.
- 24 (3) In giving any notice or taking any action in reference to a license, the department
25 may rely upon the information furnished in the application or in the
26 supplemental statement connected with the application. This information, as
27 against the licensee or applicant, shall be conclusively presumed to be correct.

1 The information required to be furnished in the application or supplemental
2 statement shall be deemed material in any prosecution for perjury.

3 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) Licenses that authorize traffic in cannabis may be issued by the cannabis
6 administrator.

7 (2) A nonrefundable application fee of five thousand dollars (\$5,000) shall be
8 charged to process each new application under this section; except that a social
9 equity applicant as described in Section 6 of this Act shall only pay two thousand
10 five hundred dollars (\$2,500).

11 (3) Licenses and permits that may be issued and their accompanying annual fees are
12 as follows:

- 13 (a) Cultivator\$100,000
- 14 (b) Craft grower.....\$40,000
- 15 (c) Processor\$40,000
- 16 (d) Transporter\$10,000
- 17 (e) Dispensary.....\$30,000

18 (4) A social equity applicant as described in Section 6 of this Act shall only pay one-
19 half (1/2) of the stated license fee for the first year, and thereafter shall pay the
20 regular amount.

21 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
22 READ AS FOLLOWS:

23 The department shall promulgate an administrative regulation setting forth a scoring
24 system for applications that includes but is not limited to the following categories:

- 25 (1) Suitability of the proposed facility;
- 26 (2) Suitability of the employee training plan;
- 27 (3) Security and recordkeeping;

- 1 (4) Cultivation plan;
 2 (5) Product safety and labeling plan;
 3 (6) Business plan;
 4 (7) The applicant's status as a social equity applicant as described in Section 6 of this
 5 Act, which shall account for no less than twenty percent (20%) of total available
 6 points;
 7 (8) Labor and employment practices;
 8 (9) Environmental plan;
 9 (10) The applicant is fifty-one percent (51%) or more owned and controlled by an
 10 individual or individuals who have been a Kentucky resident for the past five (5)
 11 years as proved by tax records;
 12 (11) The applicant is fifty-one percent (51%) or more controlled and owned by an
 13 individual or individuals who meet the qualifications of a veteran of the armed
 14 forces;
 15 (12) A diversity plan that includes a narrative of not more than two thousand five
 16 hundred (2,500) words that establishes a goal of diversity in ownership,
 17 management, employment, and contracting to ensure that diverse participants
 18 and groups are afforded equality of opportunity; and
 19 (13) Any additional criteria the department deems necessary to the determination of
 20 scoring of applicants.

21 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
 22 READ AS FOLLOWS:

23 A social equity applicant is a Kentucky resident who meets at least one (1) of the
 24 following criteria:

- 25 (1) The applicant consists of at least fifty-one percent (51%) ownership and control
 26 by one (1) or more individuals who have resided for at least five (5) of the
 27 preceding ten (10) years in a disproportionately impacted area as described in

1 Section 7 of this Act;

2 (2) The applicant consists of ownership and control of at least fifty-one percent
 3 (51%) by one (1) or more individuals who:

4 (a) Have been arrested for, convicted of, or adjudicated delinquent for any
 5 offense that is eligible for expungement under Section 33 of this Act; or

6 (b) Is a member of an impacted family; or

7 (3) The applicant has at least ten (10) full-time employees and at least fifty-one
 8 percent (51%) of whom:

9 (a) Currently reside in a disproportionately impacted area; or

10 (b) Have been arrested for, convicted of, or adjudicated delinquent for any
 11 offense that is eligible for expungement under Section 33 of this Act; or

12 (c) Are a member of an impacted family.

13 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
 14 READ AS FOLLOWS:

15 A disproportionately impacted area means a census tract or comparable geographic
 16 area that:

17 (1) Meets one (1) of the following criteria:

18 (a) Has a poverty rate of at least twenty percent (20%);

19 (b) Has seventy-five percent (75%) or more of the children in the area
 20 participating in the federal free lunch program;

21 (c) Has at least twenty percent (20%) of the households in the area who receive
 22 assistance under the Supplemental Nutrition Assistance Program; or

23 (d) Has an average unemployment rate that is more than one hundred twenty
 24 percent (120%) of the national average for a period of at least two (2)
 25 consecutive years preceeding the date of the application; and

26 (2) Has high rates of arrest, conviction, and incarceration related to the sale,
 27 possession, use, cultivation, manufacture, or transport of cannabis.

1 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
2 READ AS FOLLOWS:

3 (1) A cultivator license shall authorize the license holder to:

4 (a) Cultivate cannabis on its licensed premises; and

5 (b) Sell cannabis to processor licensees.

6 (2) A craft grower license shall authorize the license holder to:

7 (a) Cultivate cannabis in an area up to five thousand (5,000) square feet;

8 (b) Dry, cure, and package cannabis; and

9 (c) Sell the processed cannabis and cannabis products to a dispensary licensee.

10 (3) A processor license shall authorize the license holder to:

11 (a) Purchase cannabis from a cultivator or craft grower licensee;

12 (b) Process the cannabis received into consumable cannabis and cannabis
13 products; and

14 (c) Sell the processed cannabis and cannabis products to a dispensary licensee.

15 (4) A transporter license shall authorize the license holder to transport cannabis or
16 cannabis-infused products on behalf of a cannabis licensee.

17 (5) A dispensary license shall authorize the license holder to:

18 (a) Purchase cannabis and cannabis products from a processor to offer for sale
19 its store; and

20 (b) Sell cannabis, cannabis products, and cannabis accessories at its store to
21 consumers ages twenty-one (21) and older.

22 ➔SECTION 9. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
23 READ AS FOLLOWS:

24 (1) All cannabis licenses issued by the department shall be valid for a period of no
25 more than one (1) year. The board shall promulgate administrative regulations
26 establishing the system for renewal of licenses.

27 (2) The renewal by the department of any cannabis license shall not be construed to

1 waive or condone any violation that occurred prior to the renewal and shall not
2 prevent subsequent proceedings against the licensee.

3 (3) The department may deny a license renewal if the licensee is a delinquent
4 taxpayer as defined in KRS 131.1815.

5 ➔SECTION 10. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
6 READ AS FOLLOWS:

7 A cannabis dispensary licensee shall be located in a separate premises from any other
8 type of retail store, and shall not sell or offer to sell any products except cannabis,
9 cannabis products, and cannabis accessories.

10 ➔SECTION 11. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
11 READ AS FOLLOWS:

12 (1) All cannabis and cannabis products offered for sale at retail shall:

13 (a) Be packaged in tamper-evident packaging that is child-proof; and

14 (b) Be clearly labeled with the amount of THC in the product.

15 (2) The department may promulgate administrative regulations as needed to ensure
16 compliance with this section.

17 ➔SECTION 12. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
18 READ AS FOLLOWS:

19 (1) If the department denies a license application, the department shall notify the
20 applicant in writing of the denial and the reasons for the denial by registered or
21 certified mail at the address given in the application.

22 (2) The applicant may, within thirty (30) days after the date of the mailing of the
23 notice from the department, file a request with the board for an administrative
24 hearing on the application. The hearing shall be conducted by the board as a de
25 novo review of the application in compliance with KRS Chapter 13B.

26 (3) If the department denies an application and the applicant does not timely request
27 a board hearing on its application under subsection (2) of this section, the

1 department shall refund payment of the license fee to the applicant. The
2 department shall also refund payment of any license fee erroneously paid by an
3 applicant.

4 ➔SECTION 13. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
5 READ AS FOLLOWS:

6 (1) Upon proceedings for the revocation of any license under this chapter, the board
7 may in its discretion order a suspension of the license. However, the licensee may
8 have the alternative, subject to the approval of the board, to pay in lieu of part or
9 all of the days of any suspension period, a sum as follows:

10 (a) Cultivators, one thousand dollars (\$1,000) per day;

11 (b) Processors, five hundred dollars (\$500) per day;

12 (c) Transporters, five hundred dollars (\$500) per day;

13 (d) Craft growers, two hundred fifty dollars (\$250) per day; and

14 (e) Dispensaries, fifty dollars (\$50) per day.

15 (2) Payments in lieu of suspension collected by the board shall be evenly divided,
16 with three-fourths (3/4) being deposited into the agency account established in
17 Section 28 of this Act and one-fourth (1/4) being deposited into the criminal
18 justice reinvestment fund established in KRS 196.042.

19 (3) Appeals from orders of suspension and the procedure thereon shall be the same
20 as are provided for orders of revocation in KRS Chapter 13B.

21 ➔SECTION 14. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
22 READ AS FOLLOWS:

23 (1) Cannabis, cannabis products, and cannabis accessories shall only be purchased,
24 possessed, consumed, or used by persons aged twenty-one (21) years or older.

25 (2) A person under twenty-one (21) years of age shall not enter any premises licensed
26 for the sale of cannabis, cannabis products, or cannabis accessories for the
27 purpose of purchasing or receiving any cannabis, cannabis product, or cannabis

1 accessory.

2 (3) A person under twenty-one (21) years of age shall not misrepresent the person's
 3 age for the purpose of inducing any licensee, or the licensee's agent or employee,
 4 to sell any cannabis, cannabis products, or cannabis accessories to the underage
 5 person.

6 (4) A person under twenty-one (21) years of age shall not use, or attempt to use any
 7 false, fraudulent, or altered identification card, paper, or any other document to
 8 purchase or attempt to purchase or otherwise obtain any cannabis, cannabis
 9 products, or cannabis accessories.

10 (5) A violation of this section shall be deemed a status offense if committed by a
 11 person under the age of eighteen (18) and shall be under the jurisdiction of the
 12 juvenile session of the District Court or the family division of the Circuit Court,
 13 as appropriate.

14 ➔SECTION 15. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
 15 READ AS FOLLOWS:

16 (1) Smoking cannabis in a public place or in a motor vehicle is prohibited.

17 (2) Smoking cannabis in a public place or in a motor vehicle shall be a violation
 18 subject to a maximum fine of one hundred dollars (\$100).

19 ➔SECTION 16. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
 20 READ AS FOLLOWS:

21 Every dispensary licensee shall display signs that are visible to persons entering the
 22 premises that state as follows:

23 (1) The United States Surgeon General has issued an advisory opinion stating that
 24 smoking or ingesting cannabis by pregnant women may cause harm to the fetus;
 25 and

26 (2) Minor persons under the age of twenty-one (21) may face criminal penalties if
 27 they attempt to buy cannabis, cannabis products, or cannabis accessories

1 themselves or if they attempt to have someone else buy for them.

2 ➔SECTION 17. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO
3 READ AS FOLLOWS:

4 As used in Sections 17 to 20 of this Act, unless the context requires otherwise:

5 (1) "Cannabis" has the same meaning as in Section 1 of this Act;

6 (2) "Cannabis administrator" has the same meaning as in Section 1 of this Act;

7 (3) "Cannabis cultivator" means a cannabis cultivator licensee under KRS Chapter
8 245;

9 (4) "Cannabis processor" means a cannabis processor licensee under KRS Chapter
10 245;

11 (5) "Cannabis product" has the same meaning as in Section 1 of this Act;

12 (6) "Craft grower" means a craft grower licensee under KRS Chapter 245; and

13 (7) "Department" has the same meaning as in Section 1 of this Act.

14 ➔SECTION 18. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO
15 READ AS FOLLOWS:

16 (1) A tax is levied upon cannabis and cannabis products at the time and in the
17 manner as provided in this section. An excise tax is hereby imposed upon every
18 cannabis cultivator and craft grower for the privilege of selling cannabis and
19 cannabis products to a cannabis processor in this state at the following rates:

20 (2) (a) Through June 30, 2026, a wholesale tax in the amount of fifteen percent
21 (15%) of the sales price for all cannabis cultivated and harvested under
22 KRS Chapter 245 and sold to a processor shall be paid by the cannabis
23 cultivator licensee.

24 (b) Effective July 1, 2026, and each year thereafter, the rate of tax shall be
25 calculated by the cannabis administrator as described in Section 21 of this
26 Act.

27 (3) (a) Through June 30, 2026, a wholesale tax in the amount of fifteen percent

1 (15%) of the sales price for all cannabis and cannabis products processed by
2 a processor under KRS Chapter 245 and sold to a dispensary shall be paid
3 by the cannabis processor licensee.

4 (b) Effective July 1, 2026, and each year thereafter, the rate of tax shall be
5 calculated by the cannabis administrator as described in Section 21 of this
6 Act.

7 (4) The taxes imposed by this section are to be:

8 (a) Due and payable to the department monthly on or before the twentieth day
9 of the month following each calendar month;

10 (b) Paid and submitted with a return reporting the amount of sales made
11 during the preceding calendar month; and

12 (c) Reported on a return filed by each cultivator licensee and each processor
13 licensee for each month.

14 (5) The department may allow the cultivator licensee or processor licensee to file the
15 reports for periods other than monthly, as promulgated by administrative
16 regulation under KRS Chapter 13A.

17 (6) Nothing in this section shall prohibit a city, county, urban-county government,
18 consolidated local government, charter county government, or unified local
19 government from imposing a licensing fee, not to exceed five percent (5%) of the
20 gross revenue, on any cultivator, processor, testing facility, and retail cannabis
21 licensee within its jurisdiction. If imposed by the local government, the tax shall
22 be collected by and paid to the local government. In a county in which the city
23 and county both levy a licensing fee, the county fee shall only be applicable
24 outside the jurisdictional boundaries of the city that levies a licensing fee.

25 (7) Any medicinal cannabis regulated by this state shall be exempt from the
26 provisions of this section.

27 ➔SECTION 19. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO

1 READ AS FOLLOWS:

- 2 (1) Notwithstanding any other provision of this chapter to the contrary, the president,
3 vice president, secretary, treasurer, or any other person holding any equivalent
4 corporate office of any corporation subject to Section 18 of this Act shall be
5 personally and individually liable, both jointly and severally, for the cannabis and
6 cannabis product tax.
- 7 (2) Corporate dissolution, withdrawal of the corporation from the state, or the
8 cessation of holding any corporate office shall not discharge the liability of any
9 person. The personal and individual liability shall apply to every person holding a
10 corporate office at the time the tax becomes or became due.
- 11 (3) Notwithstanding any other provision of this chapter, KRS 275.150, 362.1-306(3)
12 or predecessor law, or KRS 362.2-404(3) to the contrary, the managers of a
13 limited liability company, the partners of a limited liability partnership, and the
14 general partners of a limited liability limited partnership or any other person
15 holding any equivalent office of a limited liability company, limited liability
16 partnership or limited liability limited partnership subject to Sections 17 to 20 of
17 this Act shall be personally and individually liable, both jointly and severally, for
18 the cannabis and cannabis products tax.
- 19 (4) Dissolution, withdrawal of the limited liability company, limited liability
20 partnership, or limited liability limited partnership from the state, or the cessation
21 of holding any office shall not discharge the liability of any person. The personal
22 and individual liability shall apply to every manager of a limited liability
23 company, partner of a limited liability partnership or general partner of a limited
24 liability limited partnership at the time the tax becomes or became due.
- 25 (5) No person shall be personally and individually liable under this section who had
26 no authority to collect, truthfully account for, or pay over any cannabis and
27 cannabis product tax at the time the taxes imposed become or became due.

1 (6) "Taxes" as used in this section include interest accrued at the rate provided by
 2 KRS 131.183, all applicable penalties imposed under this chapter, and all
 3 applicable penalties imposed under KRS 131.180, 131.410 to 131.445, and
 4 131.990.

5 ➔SECTION 20. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO
 6 READ AS FOLLOWS:

7 Any person who violates any provision of Section 18 or 19 of this Act shall be subject
 8 to the uniform civil penalties imposed pursuant to KRS 131.180 and interest at the tax
 9 interest rate as defined in KRS 131.010(6) from the date due until the date of payment.

10 ➔SECTION 21. A NEW SECTION OF KRS CHAPTER 245 IS CREATED TO
 11 READ AS FOLLOWS:

12 (1) Effective July 1, 2026, and each July 1 thereafter, the rate of tax in Section 18 of
 13 this Act for all cannabis cultivated and harvested and sold to a processor shall be
 14 calculated by the state cannabis administrator. The rate calculation may take into
 15 account any or all of the following:

16 (a) The price of the cannabis being sold;

17 (b) The weight of the cannabis being sold;

18 (c) The parts of the cannabis plant being sold; or

19 (d) The amount of THC in the product.

20 (2) Effective July 1, 2026, and each July 1 thereafter, the rate of tax in Section 18 of
 21 this Act for all processed cannabis and cannabis products transferred to cannabis
 22 retail licensees shall be calculated by the state cannabis administrator. The rate
 23 calculation may take into account any or all of the following:

24 (a) The price of the cannabis being sold;

25 (b) The weight of the cannabis being sold;

26 (c) The parts of the cannabis plant being sold; or

27 (d) The amount of THC in the product.

1 (3) The rates calculated in this section shall be provided to the Department of
 2 Revenue no later than March 31 of each year.

3 (4) The department shall promulgate administrative regulations setting forth the
 4 applicable rate and the method of rate calculation.

5 ➔Section 22. KRS 131.1815 is amended to read as follows:

6 (1) Whenever it is determined that a taxpayer, who holds a license under KRS Chapter
 7 243 or 245, is a delinquent taxpayer as defined in subsection (2) of this section, the
 8 department may, after giving notice as provided in subsection (3) of this section,
 9 submit the name of the taxpayer to the Department of Alcoholic Beverage Control
 10 for revocation of any license issued under KRS Chapter 243 or 245.

11 (2) Any of the following situations shall be sufficient to cause a taxpayer to be
 12 classified as a "delinquent taxpayer" for purposes of this section:

13 (a) When a taxpayer has an overdue state tax liability arising directly or indirectly
 14 from the:

15 1. Manufacture, sale, transportation, or distribution of alcoholic beverages;

16 or

17 2. Cultivation, processing, or sale of cannabis, cannabis products, and
 18 cannabis accessories;

19 for which all protest and appeal rights granted by law have expired, and the
 20 taxpayer has been contacted by the department concerning the overdue tax
 21 liability. This does not include a taxpayer who is making current timely
 22 installment payments on the overdue tax liability under agreement with the
 23 department;

24 (b) When a taxpayer has not filed a required tax return as of ninety (90) days after
 25 the due date or after the extended due date, and the taxpayer has been
 26 contacted by the department concerning the delinquent return; or

27 (c) When an owner, partner, or corporate officer of a proprietorship, partnership,

1 or corporation holding a license under KRS Chapter 243 or 245 held a similar
 2 position in a business whose license was revoked as a "delinquent taxpayer,"
 3 and the tax liability remains unpaid as of ninety (90) days after the due date.

4 (3) At least twenty (20) days before submitting a taxpayer's name to the Department of
 5 Alcoholic Beverage Control as provided in subsection (1) of this section, the
 6 department shall notify the taxpayer by certified mail that the action is to be taken.
 7 The notice shall state the reason for the action and shall set out the amount of any
 8 tax liability including any applicable penalties and interest and any other area of
 9 noncompliance that must be satisfied in order to prevent the submission of his name
 10 to the Department of Alcoholic Beverage Control as a delinquent taxpayer.

11 ➔Section 23. KRS 2.015 is amended to read as follows:

12 Persons of the age of eighteen (18) years are of the age of majority for all purposes in this
 13 Commonwealth except for the purchase of alcoholic beverages, the purchase of
 14 cannabis, cannabis products, or cannabis accessories, and for purposes of care and
 15 treatment of children with disabilities, for which twenty-one (21) years is the age of
 16 majority, all other statutes to the contrary notwithstanding.

17 ➔Section 24. KRS 241.020 is amended to read as follows:

18 (1) The department shall administer statutes relating to, and regulate traffic in,
 19 alcoholic beverages and cannabis, except that the collection of taxes shall be
 20 administered by the Department of Revenue. The department may issue advisory
 21 opinions and declaratory rulings related to KRS Chapters 241 to 245~~[244]~~ and the
 22 administrative regulations promulgated under those chapters.

23 (2) A Division of Distilled Spirits, under the supervision of the board, shall administer
 24 the laws in relation to traffic in distilled spirits and wine.

25 (3) A Division of Malt Beverages, under the supervision of the board, shall administer
 26 the laws in relation to traffic in malt beverages.

27 (4) A Division of Cannabis, under the supervision of the board, shall administer the

1 laws in relation to traffic in cannabis.

2 ➔Section 25. KRS 241.030 is amended to read as follows:

3 The Alcoholic Beverage Control Board shall consist of:

4 **(1)** The commissioner of **the Department of** Alcoholic Beverage Control, **who shall**
5 **serve as chair of the board;** and

6 **(2)** **Three (3)**~~[two (2)]~~ persons appointed by the secretary of the Public Protection
7 Cabinet with the approval of the Governor, **as follows:**

8 **(a)** **One (1) person** who shall ~~have~~~~[be persons with]~~ administrative experience in
9 the field of alcoholic beverage control, **who**~~[One (1) of these persons]~~ shall
10 serve as administrator of the Division of Distilled Spirits,

11 **(b)** **One (1) person who shall have administrative experience in the field of**
12 **alcoholic beverage control, who**~~[and the other]~~ shall serve as administrator of
13 the Division of Malt Beverages; **and**

14 **(c)** **One (1) person who shall have administrative experience in the field of**
15 **cannabis control, who shall serve as administrator of the Division of**
16 **Cannabis.**~~[The commissioner shall be chairman of the board.]~~

17 ➔Section 26. KRS 241.060 is amended to read as follows:

18 The board shall have the following functions, powers, and duties:

19 (1) To promulgate reasonable administrative regulations governing procedures relative
20 to the applications for and revocations of licenses, the supervision and control of the
21 use, manufacture, sale, transportation, storage, advertising, and trafficking of
22 alcoholic beverages **and the cultivation, processing, testing, and trafficking of**
23 **cannabis,** and all other matters over which the board has jurisdiction.
24 Administrative regulations need not be uniform in their application but may vary in
25 accordance with reasonable classifications. **Regulations that pertain to the**
26 **cultivation of cannabis shall be reviewed by the Department of Agriculture prior**
27 **to filing in order to limit impacts on the hemp industry;**

- 1 (2) To limit in its sound discretion the number of licenses of each kind or class to be
2 issued in this state or any political subdivision, and restrict the locations of licensed
3 premises. To this end, the board may make reasonable division and subdivision of
4 the state or any political subdivision into districts. Administrative regulations
5 relating to the approval, denial, and revocation of licenses may be different within
6 the several divisions or subdivisions;
- 7 (3) To hold hearings in accordance with the provisions of KRS Chapter 13B. The
8 department may pay witnesses the per diem and mileage provided in KRS 421.015;
- 9 (4) To conduct hearings and appeals under KRS 241.150, 241.200, 241.260, 243.470,
10 ~~and~~ 243.520, **and Section 12 of this Act**, and render final orders upon the subjects
11 of the hearings and appeals;
- 12 (5) To order the destruction of evidence in the department's possession after all
13 administrative and judicial proceedings are conducted;
- 14 (6) To suspend, revoke, or cancel for cause, after a hearing in accordance with KRS
15 Chapter 13B, any license; and
- 16 (7) To prohibit the issuance of a license for the premises until the expiration of two (2)
17 years from the time the offense was committed if a violation of KRS Chapters 241
18 to ~~245~~[244] has taken place on the premises which the owner knew of or should
19 have known of, or was committed or permitted in or on the premises owned by the
20 licensee.

21 ➔Section 27. KRS 241.090 is amended to read as follows:

22 State administrators and all investigators shall have the full police powers of peace
23 officers, and their jurisdiction shall be coextensive with the state. They may inspect any
24 premises where alcoholic beverages **or cannabis** are manufactured, **cultivated, processed,**
25 sold, stored, or otherwise trafficked in, without first obtaining a search warrant. They may
26 confiscate any contraband property.

27 ➔Section 28. KRS 243.025 is amended to read as follows:

- 1 (1) All of the fees paid into the State Treasury for state licenses issued pursuant to
2 KRS Chapters 241 to 244, and all application fees paid into the State Treasury for
3 applications for licensure under KRS Chapter 245, shall be credited to a revolving
4 trust and agency account, as provided in KRS 45.253, for the Department of
5 Alcoholic Beverage Control.
- 6 (2) All fees associated with the department's server training program shall be collected
7 on a cost recovery basis and shall be credited to the revolving trust and agency
8 account established under subsection (1) of this section.
- 9 (3) These moneys shall be used solely for the administration and enforcement of KRS
10 Chapters 241 to ~~244~~245. The moneys in the account shall not lapse at the close of
11 the fiscal year.
- 12 ➔Section 29. KRS 218A.1421 is amended to read as follows:
- 13 (1) A person is guilty of trafficking in marijuana when he:
14 (a) Knowingly and unlawfully traffics in marijuana; or
15 (b) Transfers cannabis or cannabis products outside the limitations of the
16 license, if licensed under KRS Chapter 245.
- 17 (2) Trafficking in less than eight (8) ounces of marijuana is:
18 (a) For a first offense a Class A misdemeanor.
19 (b) For a second or subsequent offense a Class D felony.
- 20 (3) Trafficking in eight (8) or more ounces but less than five (5) pounds of marijuana
21 is:
22 (a) For a first offense a Class D felony.
23 (b) For a second or subsequent offense a Class C felony.
- 24 (4) Trafficking in five (5) or more pounds of marijuana is:
25 (a) For a first offense a Class C felony.
26 (b) For a second or subsequent offense a Class B felony.
- 27 (5) The unlawful possession by any person of eight (8) or more ounces of marijuana

1 shall be prima facie evidence that the person possessed the marijuana with the intent
2 to sell or transfer it.

3 ➔Section 30. KRS 218A.1422 is amended to read as follows:

4 (1) A person is guilty of possession of marijuana when he or she knowingly and
5 unlawfully possesses ***more than one (1) ounce of*** marijuana.

6 (2) Possession of marijuana is a Class B misdemeanor, except that, KRS Chapter 532
7 to the contrary notwithstanding, the maximum term of incarceration shall be no
8 greater than forty-five (45) days.

9 ➔Section 31. KRS 218A.1423 is amended to read as follows:

10 (1) **Except for a cannabis cultivator or craft grower licensed pursuant to KRS**
11 **Chapter 245,** a person is guilty of marijuana cultivation when he knowingly and
12 unlawfully plants, cultivates, or harvests marijuana with the intent to sell or transfer
13 it.

14 (2) Marijuana cultivation of five (5) or more plants of marijuana is:

15 (a) For a first offense a Class D felony.

16 (b) For a second or subsequent offense a Class C felony.

17 (3) Marijuana cultivation of fewer than five (5) plants is:

18 (a) For a first offense a Class A misdemeanor.

19 (b) For a second or subsequent offense a Class D felony.

20 (4) The planting, cultivating, or harvesting of five (5) or more marijuana plants shall be
21 prima facie evidence that the marijuana plants were planted, cultivated, or harvested
22 for the purpose of sale or transfer.

23 ➔Section 32. KRS 218A.500 is amended to read as follows:

24 As used in this section and KRS 218A.510:

25 (1) "Drug paraphernalia" means all equipment, products and materials of any kind
26 which are used, intended for use, or designed for use in planting, propagating,
27 cultivating, growing, harvesting, manufacturing, compounding, converting,

1 producing, processing, preparing, testing, analyzing, packaging, repackaging,
2 storing, containing, concealing, injecting, ingesting, inhaling, or otherwise
3 introducing into the human body a controlled substance in violation of this chapter.

4 It includes but is not limited to:

- 5 (a) Kits used, intended for use, or designed for use in planting, propagating,
6 cultivating, growing, or harvesting of any species of plant which is a
7 controlled substance or from which a controlled substance can be derived;
- 8 (b) Kits used, intended for use, or designed for use in manufacturing,
9 compounding, converting, producing, processing, or preparing controlled
10 substances;
- 11 (c) Isomerization devices used, intended for use, or designed for use in increasing
12 the potency of any species of plant which is a controlled substance;
- 13 (d) Testing equipment used, intended for use, or designed for use in identifying,
14 or in analyzing the strength, effectiveness or purity of controlled substances;
- 15 (e) Scales and balances used, intended for use, or designed for use in weighing or
16 measuring controlled substances;
- 17 (f) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite,
18 dextrose and lactose, used, intended for use, or designed for use in cutting
19 controlled substances;
- 20 (g) Separation gins and sifters used, intended for use, or designed for use in
21 removing twigs and seeds from, or in otherwise cleaning or refining
22 marijuana;
- 23 (h) Blenders, bowls, containers, spoons, and mixing devices used, intended for
24 use, or designed for use in compounding controlled substances;
- 25 (i) Capsules, balloons, envelopes, and other containers used, intended for use, or
26 designed for use in packaging small quantities of controlled substances;
- 27 (j) Containers and other objects used, intended for use, or designed for use in

- 1 storing or concealing controlled substances;
- 2 (k) Hypodermic syringes, needles, and other objects used, intended for use, or
3 designed for use in parenterally injecting controlled substances into the human
4 body; and
- 5 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or
6 otherwise introducing marijuana, cocaine, hashish, or hashish oil into the
7 human body, such as: metal, wooden, acrylic, glass, stone, plastic, or ceramic
8 pipes with or without screens, permanent screens, hashish heads, or punctured
9 metal bowls; water pipes; carburetion tubes and devices; smoking and
10 carburetion masks; roach clips which mean objects used to hold burning
11 material, such as marijuana cigarettes, that have become too small or too short
12 to be held in the hand; miniature cocaine spoons, and cocaine vials; chamber
13 pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs; ice
14 pipes or chillers.
- 15 (2) It is unlawful for any person to use, or to possess with intent to use, drug
16 paraphernalia for the purpose of planting, propagating, cultivating, growing,
17 harvesting, manufacturing, compounding, converting, producing, processing,
18 preparing, testing, analyzing, packing, repacking, storing, containing, concealing,
19 injecting, ingesting, inhaling, or otherwise introducing into the human body a
20 controlled substance in violation of this chapter.
- 21 (3) It is unlawful for any person to deliver, possess with intent to deliver, or
22 manufacture with intent to deliver, drug paraphernalia, knowing, or under
23 circumstances where one reasonably should know, that it will be used to plant,
24 propagate, cultivate, grow, harvest, manufacture, compound, convert, produce,
25 process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest,
26 inhale, or otherwise introduce into the human body a controlled substance in
27 violation of this chapter.

- 1 (4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other
2 publication any advertisement, knowing, or under circumstances where one
3 reasonably should know, that the purpose of the advertisement, in whole or in part,
4 is to promote the sale of objects designed or intended for use as drug paraphernalia.
- 5 (5) (a) This section shall not prohibit a local health department from operating a
6 substance abuse treatment outreach program which allows participants to
7 exchange hypodermic needles and syringes.
- 8 (b) To operate a substance abuse treatment outreach program under this
9 subsection, the local health department shall have the consent, which may be
10 revoked at any time, of the local board of health and:
- 11 1. The legislative body of the first or home rule class city in which the
12 program would operate if located in such a city; and
- 13 2. The legislative body of the county, urban-county government, or
14 consolidated local government in which the program would operate.
- 15 (c) Items exchanged at the program shall not be deemed drug paraphernalia under
16 this section while located at the program.
- 17 (6) (a) Prior to searching a person, a person's premises, or a person's vehicle, a peace
18 officer may inquire as to the presence of needles or other sharp objects in the
19 areas to be searched that may cut or puncture the officer and offer to not
20 charge a person with possession of drug paraphernalia if the person declares to
21 the officer the presence of the needle or other sharp object. If, in response to
22 the offer, the person admits to the presence of the needle or other sharp object
23 prior to the search, the person shall not be charged with or prosecuted for
24 possession of drug paraphernalia for the needle or sharp object or for
25 possession of a controlled substance for residual or trace drug amounts present
26 on the needle or sharp object.
- 27 (b) The exemption under this subsection shall not apply to any other drug

1 paraphernalia that may be present and found during the search or to controlled
2 substances present in other than residual or trace amounts.

3 (7) Any person who violates any provision of this section shall be guilty of a Class A
4 misdemeanor.

5 **(8) Cannabis accessories as defined in Section 1 of this Act, and items used in the**
6 **cultivation of cannabis licensed under KRS Chapter 245, are excluded from this**
7 **section.**

8 ➔SECTION 33. A NEW SECTION OF KRS CHAPTER 431 IS CREATED TO
9 READ AS FOLLOWS:

10 **(1) Any person who has been convicted of a misdemeanor for possession of**
11 **marijuana or possession, delivery, or manufacture of marijuana-related drug**
12 **paraphernalia prior to the effective date of this Act, may petition the court in**
13 **which he or she was convicted for expungement of his or her record, including a**
14 **record of any charges for misdemeanors, violations, or traffic infractions that**
15 **were dismissed or amended in the criminal action.**

16 **(2) For a petition brought under this section, the court shall order expunged all**
17 **records in the custody of the court and any records in the custody of any other**
18 **agency or official, including law enforcement records, if the court finds that the**
19 **offense was for a misdemeanor possession of marijuana or marijuana-related**
20 **drug paraphernalia, or the delivery or manufacture of marijuana-related drug**
21 **paraphernalia.**

22 **(3) Upon the entry of an order to expunge the records:**

23 **(a) The proceedings in the case shall be deemed never to have occurred;**

24 **(b) The court and other agencies shall cause records to be deleted or removed**
25 **from their computer systems so that the matter shall not appear on official**
26 **state-performed background checks;**

27 **(c) The persons and the court may properly reply that no record exists with**

- 1 respect to the persons upon any inquiry in the matter; and
 2 (d) The person whose record is expunged shall not have to disclose the fact of
 3 the record or any matter relating thereto on an application for employment,
 4 credit, or other type of application.
 5 (4) There shall be no filing fee or court costs for a petition under this section.
 6 (5) Copies of the order shall be sent to The Department of Kentucky State Police
 7 Criminal Identification and Records Branch, and to each agency or official
 8 named in the order.
 9 (6) Inspection of the records included in the order may thereafter be permitted by the
 10 court only upon petition by the person who is the subject of the records and only
 11 to those persons named in the petition.
 12 (7) This section shall be deemed to be retroactive.

13 ➔Section 34. KRS 431.079 is amended to read as follows:

- 14 (1) Every petition or application filed seeking expungement of a conviction, except for
 15 a petition filed under Section 33 of this Act, shall include a certification of
 16 eligibility for expungement. The Department of Kentucky State Police and the
 17 Administrative Office of the Courts shall certify that the agencies have conducted a
 18 criminal background check on the petitioner and whether or not the petitioner is
 19 eligible to have the requested record expunged. The Department of Kentucky State
 20 Police shall promulgate administrative regulations to implement this section, in
 21 consultation with the Administrative Office of the Courts.
 22 (2) Nothing in this section shall be construed to prohibit the expungement of a case
 23 ordered by a court of competent jurisdiction.
 24 (3) For the purposes of this section, KRS 431.073, 431.076, and 431.078,
 25 "expungement" means the removal or deletion of records by the court and other
 26 agencies which prevents the matter from appearing on official state-performed
 27 background checks.

1 ➔Section 35. KRS 600.020 is amended to read as follows:

2 As used in KRS Chapters 600 to 645, unless the context otherwise requires:

3 (1) "Abused or neglected child" means a child whose health or welfare is harmed or
4 threatened with harm when:

5 (a) His or her parent, guardian, person in a position of authority or special trust, as
6 defined in KRS 532.045, or other person exercising custodial control or
7 supervision of the child:

- 8 1. Inflicts or allows to be inflicted upon the child physical or emotional
9 injury as defined in this section by other than accidental means;
- 10 2. Creates or allows to be created a risk of physical or emotional injury as
11 defined in this section to the child by other than accidental means;
- 12 3. Engages in a pattern of conduct that renders the parent incapable of
13 caring for the immediate and ongoing needs of the child, including but
14 not limited to parental incapacity due to a substance use disorder as
15 defined in KRS 222.005;
- 16 4. Continuously or repeatedly fails or refuses to provide essential parental
17 care and protection for the child, considering the age of the child;
- 18 5. Commits or allows to be committed an act of sexual abuse, sexual
19 exploitation, or prostitution upon the child;
- 20 6. Creates or allows to be created a risk that an act of sexual abuse, sexual
21 exploitation, or prostitution will be committed upon the child;
- 22 7. Abandons or exploits the child;
- 23 8. Does not provide the child with adequate care, supervision, food,
24 clothing, shelter, and education or medical care necessary for the child's
25 well-being. A parent or other person exercising custodial control or
26 supervision of the child legitimately practicing the person's religious
27 beliefs shall not be considered a negligent parent solely because of

- 1 failure to provide specified medical treatment for a child for that reason
2 alone. This exception shall not preclude a court from ordering necessary
3 medical services for a child;
- 4 9. Fails to make sufficient progress toward identified goals as set forth in
5 the court-approved case plan to allow for the safe return of the child to
6 the parent that results in the child remaining committed to the cabinet
7 and remaining in foster care for fifteen (15) cumulative months out of
8 forty-eight (48) months; or
- 9 10. Commits or allows female genital mutilation as defined in KRS 508.125
10 to be committed; or
- 11 (b) A person twenty-one (21) years of age or older commits or allows to be
12 committed an act of sexual abuse, sexual exploitation, or prostitution upon a
13 child less than sixteen (16) years of age;
- 14 (2) "Age or developmentally appropriate" has the same meaning as in 42 U.S.C. sec.
15 675(11);
- 16 (3) "Aggravated circumstances" means the existence of one (1) or more of the
17 following conditions:
- 18 (a) The parent has not attempted or has not had contact with the child for a period
19 of not less than ninety (90) days;
- 20 (b) The parent is incarcerated and will be unavailable to care for the child for a
21 period of at least one (1) year from the date of the child's entry into foster care
22 and there is no appropriate relative placement available during this period of
23 time;
- 24 (c) The parent has sexually abused the child and has refused available treatment;
- 25 (d) The parent has been found by the cabinet to have engaged in abuse of the
26 child that required removal from the parent's home two (2) or more times in
27 the past two (2) years; or

- 1 (e) The parent has caused the child serious physical injury;
- 2 (4) "Beyond the control of parents" means a child who has repeatedly failed to follow
3 the reasonable directives of his or her parents, legal guardian, or person exercising
4 custodial control or supervision other than a state agency, which behavior results in
5 danger to the child or others, and which behavior does not constitute behavior that
6 would warrant the filing of a petition under KRS Chapter 645;
- 7 (5) "Beyond the control of school" means any child who has been found by the court to
8 have repeatedly violated the lawful regulations for the government of the school as
9 provided in KRS 158.150, and as documented in writing by the school as a part of
10 the school's petition or as an attachment to the school's petition. The petition or
11 attachment shall describe the student's behavior and all intervention strategies
12 attempted by the school;
- 13 (6) "Boarding home" means a privately owned and operated home for the boarding and
14 lodging of individuals which is approved by the Department of Juvenile Justice or
15 the cabinet for the placement of children committed to the department or the
16 cabinet;
- 17 (7) "Cabinet" means the Cabinet for Health and Family Services;
- 18 (8) "Certified juvenile facility staff" means individuals who meet the qualifications of,
19 and who have completed a course of education and training in juvenile detention
20 developed and approved by, the Department of Juvenile Justice after consultation
21 with other appropriate state agencies;
- 22 (9) "Child" means any person who has not reached his or her eighteenth birthday,
23 unless otherwise provided;
- 24 (10) "Child-caring facility" means any facility or group home other than a state facility,
25 Department of Juvenile Justice contract facility or group home, or one certified by
26 an appropriate agency as operated primarily for educational or medical purposes,
27 providing residential care on a twenty-four (24) hour basis to children not related by

- 1 blood, adoption, or marriage to the person maintaining the facility;
- 2 (11) "Child-placing agency" means any agency, other than a state agency, which
3 supervises the placement of children in foster family homes or child-caring facilities
4 or which places children for adoption;
- 5 (12) "Clinical treatment facility" means a facility with more than eight (8) beds
6 designated by the Department of Juvenile Justice or the cabinet for the treatment of
7 mentally ill children. The treatment program of such facilities shall be supervised by
8 a qualified mental health professional;
- 9 (13) "Commitment" means an order of the court which places a child under the custodial
10 control or supervision of the Cabinet for Health and Family Services, Department of
11 Juvenile Justice, or another facility or agency until the child attains the age of
12 eighteen (18) unless otherwise provided by law;
- 13 (14) "Community-based facility" means any nonsecure, homelike facility licensed,
14 operated, or permitted to operate by the Department of Juvenile Justice or the
15 cabinet, which is located within a reasonable proximity of the child's family and
16 home community, which affords the child the opportunity, if a Kentucky resident, to
17 continue family and community contact;
- 18 (15) "Complaint" means a verified statement setting forth allegations in regard to the
19 child which contain sufficient facts for the formulation of a subsequent petition;
- 20 (16) "Court" means the juvenile session of District Court unless a statute specifies the
21 adult session of District Court or the Circuit Court;
- 22 (17) "Court-designated worker" means that organization or individual delegated by the
23 Administrative Office of the Courts for the purposes of placing children in
24 alternative placements prior to arraignment, conducting preliminary investigations,
25 and formulating, entering into, and supervising diversion agreements and
26 performing such other functions as authorized by law or court order;
- 27 (18) "Deadly weapon" has the same meaning as it does in KRS 500.080;

- 1 (19) "Department" means the Department for Community Based Services;
- 2 (20) "Dependent child" means any child, other than an abused or neglected child, who is
3 under improper care, custody, control, or guardianship that is not due to an
4 intentional act of the parent, guardian, or person exercising custodial control or
5 supervision of the child;
- 6 (21) "Detention" means the safe and temporary custody of a juvenile who is accused of
7 conduct subject to the jurisdiction of the court who requires a restricted or closely
8 supervised environment for his or her own or the community's protection;
- 9 (22) "Detention hearing" means a hearing held by a judge or trial commissioner within
10 twenty-four (24) hours, exclusive of weekends and holidays, of the start of any
11 period of detention prior to adjudication;
- 12 (23) "Diversion agreement" means a mechanism designed to hold a child accountable for
13 his or her behavior and, if appropriate, securing services to serve the best interest of
14 the child and to provide redress for that behavior without court action and without
15 the creation of a formal court record;
- 16 (24) "Eligible youth" means a person who:
- 17 (a) Is or has been committed to the cabinet as dependent, neglected, or abused;
- 18 (b) Is eighteen (18) years of age to nineteen (19) years of age; and
- 19 (c) Is requesting to extend or reinstate his or her commitment to the cabinet in
20 order to participate in state or federal educational programs or to establish
21 independent living arrangements;
- 22 (25) "Emergency shelter" is a group home, private residence, foster home, or similar
23 homelike facility which provides temporary or emergency care of children and
24 adequate staff and services consistent with the needs of each child;
- 25 (26) "Emotional injury" means an injury to the mental or psychological capacity or
26 emotional stability of a child as evidenced by a substantial and observable
27 impairment in the child's ability to function within a normal range of performance

- 1 and behavior with due regard to his or her age, development, culture, and
2 environment as testified to by a qualified mental health professional;
- 3 (27) "Evidence-based practices" means policies, procedures, programs, and practices
4 proven by scientific research to reliably produce reductions in recidivism;
- 5 (28) "Fictive kin" means an individual who is not related by birth, adoption, or marriage
6 to a child, but who has an emotionally significant relationship with the child;
- 7 (29) "Firearm" shall have the same meaning as in KRS 237.060 and 527.010;
- 8 (30) "Foster family home" means a private home in which children are placed for foster
9 family care under supervision of the cabinet or a licensed child-placing agency;
- 10 (31) "Graduated sanction" means any of a continuum of accountability measures,
11 programs, and sanctions, ranging from less restrictive to more restrictive in nature,
12 that may include but are not limited to:
- 13 (a) Electronic monitoring;
- 14 (b) Drug and alcohol screening, testing, or monitoring;
- 15 (c) Day or evening reporting centers;
- 16 (d) Reporting requirements;
- 17 (e) Community service; and
- 18 (f) Rehabilitative interventions such as family counseling, substance abuse
19 treatment, restorative justice programs, and behavioral or mental health
20 treatment;
- 21 (32) "Habitual runaway" means any child who has been found by the court to have been
22 absent from his or her place of lawful residence without the permission of his or her
23 custodian for at least three (3) days during a one (1) year period;
- 24 (33) "Habitual truant" means any child who has been found by the court to have been
25 reported as a truant as defined in KRS 159.150(1) two (2) or more times during a
26 one (1) year period;
- 27 (34) "Hospital" means, except for purposes of KRS Chapter 645, a licensed private or

- 1 public facility, health care facility, or part thereof, which is approved by the cabinet
2 to treat children;
- 3 (35) "Independent living" means those activities necessary to assist a committed child to
4 establish independent living arrangements;
- 5 (36) "Informal adjustment" means an agreement reached among the parties, with
6 consultation, but not the consent, of the victim of the crime or other persons
7 specified in KRS 610.070 if the victim chooses not to or is unable to participate,
8 after a petition has been filed, which is approved by the court, that the best interest
9 of the child would be served without formal adjudication and disposition;
- 10 (37) "Intentionally" means, with respect to a result or to conduct described by a statute
11 which defines an offense, that the actor's conscious objective is to cause that result
12 or to engage in that conduct;
- 13 (38) "Least restrictive alternative" means, except for purposes of KRS Chapter 645, that
14 the program developed on the child's behalf is no more harsh, hazardous, or
15 intrusive than necessary; or involves no restrictions on physical movements nor
16 requirements for residential care except as reasonably necessary for the protection
17 of the child from physical injury; or protection of the community, and is conducted
18 at the suitable available facility closest to the child's place of residence to allow for
19 appropriate family engagement;
- 20 (39) "Motor vehicle offense" means any violation of the nonfelony provisions of KRS
21 Chapters 186, 189, or 189A, KRS 177.300, 304.39-110, or 304.39-117;
- 22 (40) "Near fatality" means an injury that, as certified by a physician, places a child in
23 serious or critical condition;
- 24 (41) "Needs of the child" means necessary food, clothing, health, shelter, and education;
- 25 (42) "Nonoffender" means a child alleged to be dependent, neglected, or abused and who
26 has not been otherwise charged with a status or public offense;
- 27 (43) "Nonsecure facility" means a facility which provides its residents access to the

1 surrounding community and which does not rely primarily on the use of physically
2 restricting construction and hardware to restrict freedom;

3 (44) "Nonsecure setting" means a nonsecure facility or a residential home, including a
4 child's own home, where a child may be temporarily placed pending further court
5 action. Children before the court in a county that is served by a state operated secure
6 detention facility, who are in the detention custody of the Department of Juvenile
7 Justice, and who are placed in a nonsecure alternative by the Department of
8 Juvenile Justice, shall be supervised by the Department of Juvenile Justice;

9 (45) "Out-of-home placement" means a placement other than in the home of a parent,
10 relative, or guardian, in a boarding home, clinical treatment facility, community-
11 based facility, detention facility, emergency shelter, fictive kin home, foster family
12 home, hospital, nonsecure facility, physically secure facility, residential treatment
13 facility, or youth alternative center;

14 (46) "Parent" means the biological or adoptive mother or father of a child;

15 (47) "Person exercising custodial control or supervision" means a person or agency that
16 has assumed the role and responsibility of a parent or guardian for the child, but that
17 does not necessarily have legal custody of the child;

18 (48) "Petition" means a verified statement, setting forth allegations in regard to the child,
19 which initiates formal court involvement in the child's case;

20 (49) "Physical injury" means substantial physical pain or any impairment of physical
21 condition;

22 (50) "Physically secure facility" means a facility that relies primarily on the use of
23 construction and hardware such as locks, bars, and fences to restrict freedom;

24 (51) "Public offense action" means an action, excluding contempt, brought in the interest
25 of a child who is accused of committing an offense under KRS Chapter 527 or a
26 public offense which, if committed by an adult, would be a crime, whether the same
27 is a felony, misdemeanor, or violation, other than an action alleging that a child

1 sixteen (16) years of age or older has committed a motor vehicle offense;

2 (52) "Qualified mental health professional" means:

3 (a) A physician licensed under the laws of Kentucky to practice medicine or
4 osteopathy, or a medical officer of the government of the United States while
5 engaged in the performance of official duties;

6 (b) A psychiatrist licensed under the laws of Kentucky to practice medicine or
7 osteopathy, or a medical officer of the government of the United States while
8 engaged in the practice of official duties, and who is certified or eligible to
9 apply for certification by the American Board of Psychiatry and Neurology,
10 Inc.;

11 (c) A psychologist with the health service provider designation, a psychological
12 practitioner, a certified psychologist, or a psychological associate licensed
13 under the provisions of KRS Chapter 319;

14 (d) A licensed registered nurse with a master's degree in psychiatric nursing from
15 an accredited institution and two (2) years of clinical experience with mentally
16 ill persons, or a licensed registered nurse with a bachelor's degree in nursing
17 from an accredited institution who is certified as a psychiatric and mental
18 health nurse by the American Nurses Association and who has three (3) years
19 of inpatient or outpatient clinical experience in psychiatric nursing and who is
20 currently employed by a hospital or forensic psychiatric facility licensed by
21 the Commonwealth or a psychiatric unit of a general hospital or a regional
22 comprehensive care center;

23 (e) A licensed clinical social worker licensed under the provisions of KRS
24 335.100, or a certified social worker licensed under the provisions of KRS
25 335.080 with three (3) years of inpatient or outpatient clinical experience in
26 psychiatric social work and currently employed by a hospital or forensic
27 psychiatric facility licensed by the Commonwealth or a psychiatric unit of a

- 1 general hospital or a regional comprehensive care center;
- 2 (f) A marriage and family therapist licensed under the provisions of KRS 335.300
3 to 335.399 with three (3) years of inpatient or outpatient clinical experience in
4 psychiatric mental health practice and currently employed by a hospital or
5 forensic psychiatric facility licensed by the Commonwealth, a psychiatric unit
6 of a general hospital, or a regional comprehensive care center;
- 7 (g) A professional counselor credentialed under the provisions of KRS 335.500 to
8 335.599 with three (3) years of inpatient or outpatient clinical experience in
9 psychiatric mental health practice and currently employed by a hospital or
10 forensic facility licensed by the Commonwealth, a psychiatric unit of a general
11 hospital, or a regional comprehensive care center; or
- 12 (h) A physician assistant licensed under KRS 311.840 to 311.862, who meets one
13 (1) of the following requirements:
- 14 1. Provides documentation that he or she has completed a psychiatric
15 residency program for physician assistants;
- 16 2. Has completed at least one thousand (1,000) hours of clinical experience
17 under a supervising physician, as defined by KRS 311.840, who is a
18 psychiatrist and is certified or eligible for certification by the American
19 Board of Psychiatry and Neurology, Inc.;
- 20 3. Holds a master's degree from a physician assistant program accredited
21 by the Accreditation Review Commission on Education for the
22 Physician Assistant or its predecessor or successor agencies, is
23 practicing under a supervising physician as defined by KRS 311.840,
24 and:
- 25 a. Has two (2) years of clinical experience in the assessment,
26 evaluation, and treatment of mental disorders; or
- 27 b. Has been employed by a hospital or forensic psychiatric facility

1 licensed by the Commonwealth or a psychiatric unit of a general
2 hospital or a private agency or company engaged in the provision
3 of mental health services or a regional community program for
4 mental health and individuals with an intellectual disability for at
5 least two (2) years; or

6 4. Holds a bachelor's degree, possesses a current physician assistant
7 certificate issued by the board prior to July 15, 2002, is practicing under
8 a supervising physician as defined by KRS 311.840, and:

9 a. Has three (3) years of clinical experience in the assessment,
10 evaluation, and treatment of mental disorders; or

11 b. Has been employed by a hospital or forensic psychiatric facility
12 licensed by the Commonwealth or a psychiatric unit of a general
13 hospital or a private agency or company engaged in the provision
14 of mental health services or a regional community program for
15 mental health and individuals with an intellectual disability for at
16 least three (3) years;

17 (53) "Reasonable and prudent parent standard" has the same meaning as in 42 U.S.C.
18 sec. 675(10);

19 (54) "Residential treatment facility" means a facility or group home with more than eight
20 (8) beds designated by the Department of Juvenile Justice or the cabinet for the
21 treatment of children;

22 (55) "Retain in custody" means, after a child has been taken into custody, the continued
23 holding of the child by a peace officer for a period of time not to exceed twelve (12)
24 hours when authorized by the court or the court-designated worker for the purpose
25 of making preliminary inquiries;

26 (56) "Risk and needs assessment" means an actuarial tool scientifically proven to
27 identify specific factors and needs that are related to delinquent and noncriminal

1 misconduct;

2 (57) "School personnel" means those certified persons under the supervision of the local
3 public or private education agency;

4 (58) "Secretary" means the secretary of the Cabinet for Health and Family Services;

5 (59) "Secure juvenile detention facility" means any physically secure facility used for the
6 secure detention of children other than any facility in which adult prisoners are
7 confined;

8 (60) "Serious physical injury" means physical injury which creates a substantial risk of
9 death or which causes serious and prolonged disfigurement, prolonged impairment
10 of health, or prolonged loss or impairment of the function of any bodily member or
11 organ;

12 (61) "Sexual abuse" includes but is not necessarily limited to any contacts or interactions
13 in which the parent, guardian, person in a position of authority or special trust, as
14 defined in KRS 532.045, or other person having custodial control or supervision of
15 the child or responsibility for his or her welfare, uses or allows, permits, or
16 encourages the use of the child for the purposes of the sexual stimulation of the
17 perpetrator or another person;

18 (62) "Sexual exploitation" includes but is not limited to a situation in which a parent,
19 guardian, person in a position of authority or special trust, as defined in KRS
20 532.045, or other person having custodial control or supervision of a child or
21 responsible for his or her welfare, allows, permits, or encourages the child to engage
22 in an act which constitutes prostitution under Kentucky law; or a parent, guardian,
23 person in a position of authority or special trust, as defined in KRS 532.045, or
24 other person having custodial control or supervision of a child or responsible for his
25 or her welfare, allows, permits, or encourages the child to engage in an act of
26 obscene or pornographic photographing, filming, or depicting of a child as provided
27 for under Kentucky law;

- 1 (63) "Social service worker" means any employee of the cabinet or any private agency
2 designated as such by the secretary of the cabinet or a social worker employed by a
3 county or city who has been approved by the cabinet to provide, under its
4 supervision, services to families and children;
- 5 (64) "Staff secure facility for residential treatment" means any setting which assures that
6 all entrances and exits are under the exclusive control of the facility staff, and in
7 which a child may reside for the purpose of receiving treatment;
- 8 (65) (a) "Status offense action" is any action brought in the interest of a child who is
9 accused of committing acts, which if committed by an adult, would not be a
10 crime. Such behavior shall not be considered criminal or delinquent and such
11 children shall be termed status offenders. Status offenses shall include:
- 12 1. Beyond the control of school or beyond the control of parents;
 - 13 2. Habitual runaway;
 - 14 3. Habitual truant; ~~and~~
 - 15 4. Alcohol offenses as provided in KRS 244.085; and
 - 16 5. Cannabis offenses as provided in Section 14 of this Act.
- 17 (b) Status offenses shall not include violations of state or local ordinances which
18 may apply to children such as a violation of curfew;
- 19 (66) "Take into custody" means the procedure by which a peace officer or other
20 authorized person initially assumes custody of a child. A child may be taken into
21 custody for a period of time not to exceed two (2) hours;
- 22 (67) "Transitional living support" means all benefits to which an eligible youth is
23 entitled upon being granted extended or reinstated commitment to the cabinet by the
24 court;
- 25 (68) "Transition plan" means a plan that is personalized at the direction of the youth that:
- 26 (a) Includes specific options on housing, health insurance, education, local
27 opportunities for mentors and continuing support services, and workforce

1 supports and employment services; and

2 (b) Is as detailed as the youth may elect;

3 (69) "Valid court order" means a court order issued by a judge to a child alleged or found
4 to be a status offender:

5 (a) Who was brought before the court and made subject to the order;

6 (b) Whose future conduct was regulated by the order;

7 (c) Who was given written and verbal warning of the consequences of the
8 violation of the order at the time the order was issued and whose attorney or
9 parent or legal guardian was also provided with a written notice of the
10 consequences of violation of the order, which notification is reflected in the
11 record of the court proceedings; and

12 (d) Who received, before the issuance of the order, the full due process rights
13 guaranteed by the Constitution of the United States;

14 (70) "Violation" means any offense, other than a traffic infraction, for which a sentence
15 of a fine only can be imposed;

16 (71) "Youth alternative center" means a nonsecure facility, approved by the Department
17 of Juvenile Justice, for the detention of juveniles, both prior to adjudication and
18 after adjudication, which meets the criteria specified in KRS 15A.320; and

19 (72) "Youthful offender" means any person regardless of age, transferred to Circuit
20 Court under the provisions of KRS Chapter 635 or 640 and who is subsequently
21 convicted in Circuit Court.

22 ➔Section 36. KRS 12.020 is amended to read as follows:

23 Departments, program cabinets and their departments, and the respective major
24 administrative bodies that they include are enumerated in this section. It is not intended
25 that this enumeration of administrative bodies be all-inclusive. Every authority, board,
26 bureau, interstate compact, commission, committee, conference, council, office, or any
27 other form of organization shall be included in or attached to the department or program

1 cabinet in which they are included or to which they are attached by statute or statutorily
2 authorized executive order; except in the case of the Personnel Board and where the
3 attached department or administrative body is headed by a constitutionally elected officer,
4 the attachment shall be solely for the purpose of dissemination of information and
5 coordination of activities and shall not include any authority over the functions,
6 personnel, funds, equipment, facilities, or records of the department or administrative
7 body.

8 I. Cabinet for General Government - Departments headed by elected officers:

- 9 (1) The Governor.
- 10 (2) Lieutenant Governor.
- 11 (3) Department of State.
- 12 (a) Secretary of State.
- 13 (b) Board of Elections.
- 14 (c) Registry of Election Finance.
- 15 (4) Department of Law.
- 16 (a) Attorney General.
- 17 (5) Department of the Treasury.
- 18 (a) Treasurer.
- 19 (6) Department of Agriculture.
- 20 (a) Commissioner of Agriculture.
- 21 (b) Kentucky Council on Agriculture.
- 22 (7) Auditor of Public Accounts.

23 II. Program cabinets headed by appointed officers:

- 24 (1) Justice and Public Safety Cabinet:
- 25 (a) Department of Kentucky State Police.
- 26 (b) Department of Criminal Justice Training.
- 27 (c) Department of Corrections.

- 1 (d) Department of Juvenile Justice.
- 2 (e) Office of the Secretary.
- 3 (f) Office of Drug Control Policy.
- 4 (g) Office of Legal Services.
- 5 (h) Office of the Kentucky State Medical Examiner.
- 6 (i) Parole Board.
- 7 (j) Kentucky State Corrections Commission.
- 8 (k) Office of Legislative and Intergovernmental Services.
- 9 (l) Office of Management and Administrative Services.
- 10 (m) Department of Public Advocacy.
- 11 (2) Education and Workforce Development Cabinet:
- 12 (a) Office of the Secretary.
- 13 1. Governor's Scholars Program.
- 14 2. Governor's School for Entrepreneurs Program.
- 15 3. Office of the Kentucky Workforce Innovation Board.
- 16 4. Foundation for Adult Education.
- 17 5. Early Childhood Advisory Council.
- 18 (b) Office of Legal and Legislative Services.
- 19 1. Client Assistance Program.
- 20 (c) Office of Communication.
- 21 (d) Office of Administrative Services.
- 22 1. Division of Human Resources.
- 23 2. Division of Operations and Support Services.
- 24 3. Division of Fiscal Management.
- 25 (e) Office of Technology Services.
- 26 (f) Office of Educational Programs.
- 27 (g) Office of the Kentucky Center for Statistics.

- 1 (h) Board of the Kentucky Center for Statistics.
- 2 (i) Board of Directors for the Center for School Safety.
- 3 (j) Department of Education.
- 4 1. Kentucky Board of Education.
- 5 2. Kentucky Technical Education Personnel Board.
- 6 (k) Department for Libraries and Archives.
- 7 (l) Department of Workforce Investment.
- 8 1. Office of Vocational Rehabilitation.
- 9 a. Division of Kentucky Business Enterprise.
- 10 b. Division of the Carl D. Perkins Vocational Training Center.
- 11 c. Division of Blind Services.
- 12 d. Division of Field Services.
- 13 e. Statewide Council for Vocational Rehabilitation.
- 14 2. Office of Unemployment Insurance.
- 15 3. Office of Employer and Apprenticeship Services.
- 16 a. Division of Apprenticeship.
- 17 4. Office of Career Development.
- 18 5. Office of Adult Education.
- 19 6. Unemployment Insurance Commission.
- 20 7. Kentucky Apprenticeship Council.
- 21 (m) Foundation for Workforce Development.
- 22 (n) Kentucky Workforce Investment Board.
- 23 (o) Education Professional Standards Board.
- 24 1. Division of Educator Preparation.
- 25 2. Division of Certification.
- 26 3. Division of Professional Learning and Assessment.
- 27 4. Division of Legal Services.

- 1 (p) Kentucky Commission on the Deaf and Hard of Hearing.
- 2 (q) Kentucky Educational Television.
- 3 (r) Kentucky Environmental Education Council.
- 4 (3) Energy and Environment Cabinet:
- 5 (a) Office of the Secretary.
- 6 1. Office of Legislative and Intergovernmental Affairs.
- 7 2. Office of Legal Services.
- 8 a. Legal Division I.
- 9 b. Legal Division II.
- 10 3. Office of Administrative Hearings.
- 11 4. Office of Communication.
- 12 5. Mine Safety Review Commission.
- 13 6. Office of Kentucky Nature Preserves.
- 14 7. Kentucky Public Service Commission.
- 15 (b) Department for Environmental Protection.
- 16 1. Office of the Commissioner.
- 17 2. Division for Air Quality.
- 18 3. Division of Water.
- 19 4. Division of Environmental Program Support.
- 20 5. Division of Waste Management.
- 21 6. Division of Enforcement.
- 22 7. Division of Compliance Assistance.
- 23 (c) Department for Natural Resources.
- 24 1. Office of the Commissioner.
- 25 2. Division of Mine Permits.
- 26 3. Division of Mine Reclamation and Enforcement.
- 27 4. Division of Abandoned Mine Lands.

- 1 5. Division of Oil and Gas.
- 2 6. Division of Mine Safety.
- 3 7. Division of Forestry.
- 4 8. Division of Conservation.
- 5 9. Office of the Reclamation Guaranty Fund.
- 6 (d) Office of Energy Policy.
 - 7 1. Division of Energy Assistance.
- 8 (e) Office of Administrative Services.
 - 9 1. Division of Human Resources Management.
 - 10 2. Division of Financial Management.
 - 11 3. Division of Information Services.
- 12 (4) Public Protection Cabinet.
 - 13 (a) Office of the Secretary.
 - 14 1. Office of Communications and Public Outreach.
 - 15 2. Office of Legal Services.
 - 16 a. Insurance Legal Division.
 - 17 b. Charitable Gaming Legal Division.
 - 18 c. Alcoholic Beverage Control Legal Division.
 - 19 d. Housing, Buildings and Construction Legal Division.
 - 20 e. Financial Institutions Legal Division.
 - 21 f. Professional Licensing Legal Division.
 - 22 3. Office of Administrative Hearings.
 - 23 4. Office of Administrative Services.
 - 24 a. Division of Human Resources.
 - 25 b. Division of Fiscal Responsibility.
 - 26 (b) Kentucky Claims Commission.
 - 27 (c) Kentucky Boxing and Wrestling Commission.

- 1 (d) Kentucky Horse Racing Commission.
 - 2 1. Office of Executive Director.
 - 3 a. Division of Pari-mutuel Wagering and Compliance.
 - 4 b. Division of Stewards.
 - 5 c. Division of Licensing.
 - 6 d. Division of Enforcement.
 - 7 e. Division of Incentives and Development.
 - 8 f. Division of Veterinary Services.
- 9 (e) Department of Alcoholic Beverage Control.
 - 10 1. Division of Distilled Spirits.
 - 11 2. Division of Malt Beverages.
 - 12 3. Division of Enforcement.
 - 13 **4. Division of Cannabis.**
- 14 (f) Department of Charitable Gaming.
 - 15 1. Division of Licensing and Compliance.
 - 16 2. Division of Enforcement.
- 17 (g) Department of Financial Institutions.
 - 18 1. Division of Depository Institutions.
 - 19 2. Division of Non-Depository Institutions.
 - 20 3. Division of Securities.
- 21 (h) Department of Housing, Buildings and Construction.
 - 22 1. Division of Fire Prevention.
 - 23 2. Division of Plumbing.
 - 24 3. Division of Heating, Ventilation, and Air Conditioning.
 - 25 4. Division of Building Code Enforcement.
- 26 (i) Department of Insurance.
 - 27 1. Division of Insurance Product Regulation.

- 1 2. Division of Administrative Services.
- 2 3. Division of Financial Standards and Examination.
- 3 4. Division of Agent Licensing.
- 4 5. Division of Insurance Fraud Investigation.
- 5 6. Division of Consumer Protection.
- 6 (j) Department of Professional Licensing.
- 7 1. Real Estate Authority.
- 8 (5) Labor Cabinet.
- 9 (a) Office of the Secretary.
- 10 1. Office of General Counsel.
- 11 a. Workplace Standards Legal Division.
- 12 b. Workers' Claims Legal Division.
- 13 2. Office of Administrative Services.
- 14 a. Division of Human Resources Management.
- 15 b. Division of Fiscal Management.
- 16 c. Division of Professional Development and Organizational
- 17 Management.
- 18 d. Division of Information Technology and Support Services.
- 19 3. Office of Inspector General.
- 20 (b) Department of Workplace Standards.
- 21 1. Division of Occupational Safety and Health Compliance.
- 22 2. Division of Occupational Safety and Health Education and
- 23 Training.
- 24 3. Division of Wages and Hours.
- 25 (c) Department of Workers' Claims.
- 26 1. Division of Workers' Compensation Funds.
- 27 2. Office of Administrative Law Judges.

- 1 3. Division of Claims Processing.
- 2 4. Division of Security and Compliance.
- 3 5. Division of Information Services.
- 4 6. Division of Specialist and Medical Services.
- 5 7. Workers' Compensation Board.
- 6 (d) Workers' Compensation Funding Commission.
- 7 (e) Occupational Safety and Health Standards Board.
- 8 (f) State Labor Relations Board.
- 9 (g) Employers' Mutual Insurance Authority.
- 10 (h) Kentucky Occupational Safety and Health Review Commission.
- 11 (i) Workers' Compensation Nominating Committee.
- 12 (6) Transportation Cabinet:
- 13 (a) Department of Highways.
 - 14 1. Office of Project Development.
 - 15 2. Office of Project Delivery and Preservation.
 - 16 3. Office of Highway Safety.
 - 17 4. Highway District Offices One through Twelve.
- 18 (b) Department of Vehicle Regulation.
- 19 (c) Department of Aviation.
- 20 (d) Department of Rural and Municipal Aid.
 - 21 1. Office of Local Programs.
 - 22 2. Office of Rural and Secondary Roads.
- 23 (e) Office of the Secretary.
 - 24 1. Office of Public Affairs.
 - 25 2. Office for Civil Rights and Small Business Development.
 - 26 3. Office of Budget and Fiscal Management.
 - 27 4. Office of Inspector General.

- 1 (f) Office of Support Services.
- 2 (g) Office of Transportation Delivery.
- 3 (h) Office of Audits.
- 4 (i) Office of Human Resource Management.
- 5 (j) Office of Information Technology.
- 6 (k) Office of Legal Services.
- 7 (7) Cabinet for Economic Development:
- 8 (a) Office of the Secretary.
- 9 1. Office of Legal Services.
- 10 2. Department for Business Development.
- 11 3. Department for Financial Services.
- 12 a. Kentucky Economic Development Finance Authority.
- 13 b. Finance and Personnel Division.
- 14 c. IT and Resource Management Division.
- 15 d. Compliance Division.
- 16 e. Incentive Administration Division.
- 17 f. Bluegrass State Skills Corporation.
- 18 4. Office of Marketing and Public Affairs.
- 19 a. Communications Division.
- 20 b. Graphics Design Division.
- 21 5. Office of Workforce, Community Development, and Research.
- 22 6. Office of Entrepreneurship.
- 23 a. Commission on Small Business Advocacy.
- 24 (8) Cabinet for Health and Family Services:
- 25 (a) Office of the Secretary.
- 26 1. Office of the Ombudsman and Administrative Review.
- 27 2. Office of Public Affairs.

- 1 3. Office of Legal Services.
- 2 4. Office of Inspector General.
- 3 5. Office of Human Resource Management.
- 4 6. Office of Finance and Budget.
- 5 7. Office of Legislative and Regulatory Affairs.
- 6 8. Office of Administrative Services.
- 7 9. Office of Application Technology Services.
- 8 (b) Department for Public Health.
- 9 (c) Department for Medicaid Services.
- 10 (d) Department for Behavioral Health, Developmental and Intellectual
- 11 Disabilities.
- 12 (e) Department for Aging and Independent Living.
- 13 (f) Department for Community Based Services.
- 14 (g) Department for Income Support.
- 15 (h) Department for Family Resource Centers and Volunteer Services.
- 16 (i) Office for Children with Special Health Care Needs.
- 17 (j) Office of Health Data and Analytics.
- 18 (9) Finance and Administration Cabinet:
- 19 (a) Office of the Secretary.
- 20 (b) Office of the Inspector General.
- 21 (c) Office of Legislative and Intergovernmental Affairs.
- 22 (d) Office of General Counsel.
- 23 (e) Office of the Controller.
- 24 (f) Office of Administrative Services.
- 25 (g) Office of Policy and Audit.
- 26 (h) Department for Facilities and Support Services.
- 27 (i) Department of Revenue.

- 1 (j) Commonwealth Office of Technology.
- 2 (k) State Property and Buildings Commission.
- 3 (l) Office of Equal Employment Opportunity and Contract Compliance.
- 4 (m) Kentucky Employees Retirement Systems.
- 5 (n) Commonwealth Credit Union.
- 6 (o) State Investment Commission.
- 7 (p) Kentucky Housing Corporation.
- 8 (q) Kentucky Local Correctional Facilities Construction Authority.
- 9 (r) Kentucky Turnpike Authority.
- 10 (s) Historic Properties Advisory Commission.
- 11 (t) Kentucky Tobacco Settlement Trust Corporation.
- 12 (u) Kentucky Higher Education Assistance Authority.
- 13 (v) Kentucky River Authority.
- 14 (w) Kentucky Teachers' Retirement System Board of Trustees.
- 15 (x) Executive Branch Ethics Commission.
- 16 (10) Tourism, Arts and Heritage Cabinet:
- 17 (a) Kentucky Department of Tourism.
- 18 1. Division of Tourism Services.
- 19 2. Division of Marketing and Administration.
- 20 3. Division of Communications and Promotions.
- 21 (b) Kentucky Department of Parks.
- 22 1. Division of Information Technology.
- 23 2. Division of Human Resources.
- 24 3. Division of Financial Operations.
- 25 4. Division of Facilities Management.
- 26 5. Division of Facilities Maintenance.
- 27 6. Division of Customer Services.

- 1 7. Division of Recreation.
- 2 8. Division of Golf Courses.
- 3 9. Division of Food Services.
- 4 10. Division of Rangers.
- 5 11. Division of Resort Parks.
- 6 12. Division of Recreational Parks and Historic Sites.
- 7 (c) Department of Fish and Wildlife Resources.
- 8 1. Division of Law Enforcement.
- 9 2. Division of Administrative Services.
- 10 3. Division of Engineering, Infrastructure, and Technology.
- 11 4. Division of Fisheries.
- 12 5. Division of Information and Education.
- 13 6. Division of Wildlife.
- 14 7. Division of Marketing.
- 15 (d) Kentucky Horse Park.
- 16 1. Division of Support Services.
- 17 2. Division of Buildings and Grounds.
- 18 3. Division of Operational Services.
- 19 (e) Kentucky State Fair Board.
- 20 1. Office of Administrative and Information Technology Services.
- 21 2. Office of Human Resources and Access Control.
- 22 3. Division of Expositions.
- 23 4. Division of Kentucky Exposition Center Operations.
- 24 5. Division of Kentucky International Convention Center.
- 25 6. Division of Public Relations and Media.
- 26 7. Division of Venue Services.
- 27 8. Division of Personnel Management and Staff Development.

- 1 9. Division of Sales.
- 2 10. Division of Security and Traffic Control.
- 3 11. Division of Information Technology.
- 4 12. Division of the Louisville Arena.
- 5 13. Division of Fiscal and Contract Management.
- 6 14. Division of Access Control.
- 7 (f) Office of the Secretary.
- 8 1. Office of Finance.
- 9 2. Office of Government Relations and Administration.
- 10 3. Office of Film and Tourism Development.
- 11 (g) Office of Legal Affairs.
- 12 (h) Office of Human Resources.
- 13 (i) Office of Public Affairs and Constituent Services.
- 14 (j) Office of Arts and Cultural Heritage.
- 15 (k) Kentucky African-American Heritage Commission.
- 16 (l) Kentucky Foundation for the Arts.
- 17 (m) Kentucky Humanities Council.
- 18 (n) Kentucky Heritage Council.
- 19 (o) Kentucky Arts Council.
- 20 (p) Kentucky Historical Society.
- 21 1. Division of Museums.
- 22 2. Division of Oral History and Educational Outreach.
- 23 3. Division of Research and Publications.
- 24 4. Division of Administration.
- 25 (q) Kentucky Center for the Arts.
- 26 1. Division of Governor's School for the Arts.
- 27 (r) Kentucky Artisans Center at Berea.

- 1 (s) Northern Kentucky Convention Center.
- 2 (t) Eastern Kentucky Exposition Center.
- 3 (11) Personnel Cabinet:
- 4 (a) Office of the Secretary.
- 5 (b) Department of Human Resources Administration.
- 6 (c) Office of Employee Relations.
- 7 (d) Kentucky Public Employees Deferred Compensation Authority.
- 8 (e) Office of Administrative Services.
- 9 (f) Office of Legal Services.
- 10 (g) Governmental Services Center.
- 11 (h) Department of Employee Insurance.
- 12 (i) Office of Diversity, Equality, and Training.
- 13 (j) Office of Public Affairs.
- 14 III. Other departments headed by appointed officers:
- 15 (1) Council on Postsecondary Education.
- 16 (2) Department of Military Affairs.
- 17 (3) Department for Local Government.
- 18 (4) Kentucky Commission on Human Rights.
- 19 (5) Kentucky Commission on Women.
- 20 (6) Department of Veterans' Affairs.
- 21 (7) Kentucky Commission on Military Affairs.
- 22 (8) Office of Minority Empowerment.
- 23 (9) Governor's Council on Wellness and Physical Activity.
- 24 (10) Kentucky Communications Network Authority.