

1 AN ACT relating to fiscal matters, making an appropriation therefor, and declaring
2 an emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) As used in this section:*

7 *(a) "Commission" means the Harrodsburg Sestercentennial Commission*
8 *established in subsection (2) of this section; and*

9 *(b) "Sestercentennial" means the two hundred fiftieth anniversary of the*
10 *founding of Harrodsburg on June 16, 1774.*

11 *(2) The Harrodsburg Sestercentennial Commission is hereby established to plan,*
12 *encourage, develop, and coordinate events and other activities related to the two*
13 *hundred fiftieth anniversary of Harrodsburg in 2024. To accomplish its charge,*
14 *the commission shall:*

15 *(a) Ensure that adequate way-finding signage and mapping is accomplished to*
16 *mark and identify Old Fort Harrod State Park;*

17 *(b) Educate citizens of the Commonwealth and the nation about the stories of*
18 *pioneers and Native Americans in the early days of westward settlement and*
19 *the impact Harrodsburg and settlements of its nature had on Kentucky and*
20 *American history;*

21 *(c) Plan and implement events for a year-long sestercentennial*
22 *commemoration in the year 2024 of the founding of Harrodsburg and*
23 *whatever events in the immediately preceding and following years are*
24 *deemed appropriate by the commission, including any battlefield*
25 *commemorations if funds are available;*

26 *(d) Assist local governments and their representatives with planning,*
27 *preparation, and grant applications for sestercentennial events and projects;*

- 1 (e) Coordinate federal, state, local, and nonprofit organizations'
2 sestercentennial activities occurring in Kentucky;
- 3 (f) Coordinate events and activities with parties, commissions, and
4 organizations wishing to participate in the 2024 commemoration;
- 5 (g) Act as a point of contact for national organizations wishing to distribute
6 information to state and local groups about grant opportunities, meetings,
7 and national events related to the settlement of Harrodsburg and
8 sestercentennial activities;
- 9 (h) Seek funding sources such as foundations, line item appropriations, federal
10 grants, philanthropic organizations, and lineage societies;
- 11 (i) Create press, print, and electronic contacts that generate stories on a
12 continual basis;
- 13 (j) Encourage and contract new publications and create a call for papers on
14 Harrodsburg, Fort Harrod, James Harrod, or other participating or
15 involved parties, and how the history of this early frontier settlement
16 impacted American history;
- 17 (k) Organize symposiums and other methodologies to investigate genealogy
18 relative to Harrodsburg;
- 19 (l) Create higher and lower educational programs;
- 20 (m) Perform other duties necessary to educate Kentuckians on the history of
21 Harrodsburg and early frontier settlements and on the Commonwealth's
22 role in early westward expansion;
- 23 (n) Evaluate the existing infrastructure of Old Fort Harrod State Park, provide
24 recommendations for what infrastructure should be in place for the
25 successful undertaking of appropriate events and activities in accordance
26 with this section, and coordinate with state and local bodies to make
27 necessary infrastructure improvements; and

1 (o) Coordinate planning for the sestercentennial with the nonprofit
2 organization Harrodsburg 250th, Inc., this organization having been
3 established by the local governments of Harrodsburg and Mercer County to
4 serve as the point of contact for local planning for the sestercentennial.

5 (3) The commission shall consist of the following eleven (11) members:

6 (a) The secretary of the Education and Workforce Development Cabinet or his
7 or her designee;

8 (b) The secretary of the Transportation Cabinet or his or her designee;

9 (c) Two (2) members from the Tourism, Arts and Heritage Cabinet, appointed
10 by the secretary of the cabinet;

11 (d) One (1) member from the Kentucky Heritage Council, appointed by the
12 state historic preservation officer;

13 (e) One (1) member of the Kentucky Humanities Council, appointed by the
14 chair of the council;

15 (f) One (1) member of Harrodsburg 250th, Inc., recommended by the chair of
16 that organization and appointed by the Governor;

17 (g) One (1) member of the Friends of Fort Harrod, recommended by the leader
18 of that organization and appointed by the Governor; and

19 (h) Three (3) citizen members appointed by the Governor, one (1) of whom
20 shall be designated as the chair.

21 (4) The Harrodsburg Sestercentennial Commission shall be attached to the Kentucky
22 Historical Society for administrative purposes only.

23 (5) This section shall expire on January 1, 2027.

24 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO
25 READ AS FOLLOWS:

26 (1) The Kentucky State Parks Centennial Commission is established to plan and
27 implement events to celebrate the one hundredth anniversary of the state parks

- 1 system in 2024. To accomplish its charge, the commission shall:
- 2 (a) Assist local governments and organizations with planning, preparation, and
- 3 grant applications for parks centennial events and projects;
- 4 (b) Coordinate events and activities with parties, commissions, and
- 5 organizations wishing to participate in the centennial celebration;
- 6 (c) Seek funding sources such as foundations, line item appropriations, federal
- 7 grants, and philanthropic organizations;
- 8 (d) Establish press, print, and electronic contacts that generate stories on a
- 9 continual basis; and
- 10 (e) Perform other duties necessary to highlight Kentucky's parks system during
- 11 its one hundredth year.
- 12 (2) The Kentucky State Parks Centennial Commission shall consist of the following
- 13 nine (9) members:
- 14 (a) The secretary of the Tourism, Arts and Heritage Cabinet or his or her
- 15 designee;
- 16 (b) One (1) additional member from the Tourism, Arts and Heritage Cabinet,
- 17 appointed by the secretary;
- 18 (c) One (1) member from the Kentucky Historical Society, appointed by the
- 19 executive director of the society;
- 20 (d) One (1) member from the Kentucky Heritage Council, appointed by the
- 21 state historic preservation officer;
- 22 (e) Three (3) members selected by the secretary of the Tourism, Arts and
- 23 Heritage Cabinet who work in onsite park leadership; and
- 24 (f) Two (2) citizen members, one (1) of whom shall be designated as the chair
- 25 and appointed by the Governor.
- 26 (3) The Kentucky State Parks Centennial Commission shall be attached to the
- 27 Kentucky Tourism, Arts and Heritage Cabinet for administrative purposes only.

1 (4) This section shall expire on January 1, 2025.

2 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO
3 READ AS FOLLOWS:

4 (1) As used in this section:

5 (a) "Commission" means the Kentucky Sestercentennial Commission
6 established in subsection (2) of this section; and

7 (b) "Sestercentennial" means the two hundred fiftieth anniversary of historic
8 events from 1774 to 1776 that include the founding of Harrodsburg in 1774,
9 the opening of Boone Trace in 1775, the genesis of westward movement,
10 and the important events tied to our nation's founding in 1776.

11 (2) The Kentucky Sestercentennial Commission is hereby established to plan and
12 implement events to celebrate the two hundred fiftieth anniversary of Old Fort
13 Harrod in 2024, culminating with the Declaration of Independence in 1776. To
14 accomplish its charge, the commission shall:

15 (a) Elect a chair of the commission and have the authority to form
16 subcommittees and working groups that include non-commission members
17 in order to plan, develop, and coordinate specific activities;

18 (b) Plan, encourage, develop, and coordinate the commemoration of the two
19 hundred fiftieth anniversary of the founding of the United States and
20 recognize Kentucky's integral role in that event and the impact of its people
21 on the nation's past, present, and future;

22 (c) Ensure that adequate way-finding signage and mapping is accomplished to
23 mark and identify the relevant points of interest and routes involved in the
24 founding of Kentucky and the opening of the west;

25 (d) Educate citizens of the Commonwealth and the nation about the stories of
26 pioneers, African Americans, and Native Americans in the early days of
27 westward settlement and the impact Fort Harrod and Fort Boonesborough

- 1 had on Kentucky and American history;
- 2 (e) Plan and implement events for a three (3) year sestercentennial
- 3 commemoration of the years 2024 to 2026 and following years deemed
- 4 appropriate by the commission, including any battlefield commemorations
- 5 if funds are available;
- 6 (f) Assist local governments with planning, preparation, and grant applications
- 7 for sestercentennial events and projects;
- 8 (g) Coordinate federal, state, local, and nonprofit organizations'
- 9 sestercentennial activities occurring in Kentucky;
- 10 (h) Coordinate events and activities with parties, commissions, and
- 11 organizations wishing to participate in the commemoration;
- 12 (i) Seek funding sources such as foundations, line item appropriations, federal
- 13 grants, philanthropic organizations, and lineage societies;
- 14 (j) Establish press, print, and electronic contacts that generate stories on a
- 15 continual basis;
- 16 (k) Encourage and contract new publications and create a call for papers on
- 17 how the history of this early frontier settlement impacted American history;
- 18 (l) Organize symposiums and other methodologies to investigate genealogy
- 19 relative to the events involved in the founding of Kentucky and opening of
- 20 the west;
- 21 (m) Create higher and lower educational programs; and
- 22 (n) Perform other duties necessary to educate Kentuckians on the history of
- 23 early frontier settlements and on the Commonwealth's role in early
- 24 westward expansion and to highlight the importance of the years 1774 to
- 25 1776 to Kentucky history.
- 26 (3) The commission shall consist of the following fourteen (14) members:
- 27 (a) The secretary of the Education and Workforce Development Cabinet or his

- 1 or her designee;
- 2 **(b) One (1) member from the Tourism, Arts and Heritage Cabinet appointed by**
- 3 **the secretary of the cabinet;**
- 4 **(c) One (1) member from the Kentucky Heritage Council, appointed by the**
- 5 **state historic preservation officer;**
- 6 **(d) One (1) member from the Kentucky Humanities Council, appointed by the**
- 7 **chair of the council;**
- 8 **(e) One (1) member of the Friends of Fort Harrod, recommended by the leader**
- 9 **of that organization and appointed by the Governor;**
- 10 **(f) Three (3) citizen members appointed by the Governor, one (1) of whom**
- 11 **shall be designated as the chair;**
- 12 **(g) The commissioner of the Department of Parks or his or her designee;**
- 13 **(h) The president of Friends of Boone Trace, Inc. or his or her designee;**
- 14 **(i) The president of the Fort Boonesborough Foundation, or his or her**
- 15 **designee;**
- 16 **(j) One (1) member from the Kentucky African American Heritage**
- 17 **Commission appointed by the chair of that commission;**
- 18 **(k) One (1) member of the Kentucky Native American Heritage Commission**
- 19 **appointed by the chair of that commission; and**
- 20 **(l) One (1) member of the Kentucky Historical Society appointed by the**
- 21 **executive director of the society.**

22 **(4) The Kentucky Sestercentennial Commission shall be attached to the Kentucky**

23 **Historical Society for administrative purposes only.**

24 **(5) This section shall expire on January 1, 2027.**

25 ➔Section 4. KRS 197.045 is amended to read as follows:

26 (1) Any person convicted and sentenced to a state penal institution:

27 (a) Shall receive a credit on his or her sentence for:

- 1 1. Prior confinement as specified in KRS 532.120;
- 2 2. Successfully receiving a High School Equivalency Diploma or a high
- 3 school diploma, a college degree, a completed vocational or technical
- 4 education program, or a correspondence postsecondary education
- 5 program which results in a diploma or degree, as provided, defined, and
- 6 approved by the department in the amount of ninety (90) days per
- 7 diploma, degree, or technical education program completed;
- 8 3. Successfully completing a drug treatment program, evidence-based
- 9 program, or any other promising practice or life skills program approved
- 10 by the department, in the amount of not more than ninety (90) days for
- 11 each program completed. The department shall determine criteria to
- 12 establish whether a life skills or promising practice program is eligible
- 13 for sentence credits. Programs shall demonstrate learning of skills
- 14 necessary for reintegration into the community to minimize barriers to
- 15 successful reentry. Approval of programs shall be subject to review by
- 16 the cabinet; and
- 17 (b) May receive a credit on his or her sentence for:
 - 18 1. Good behavior in an amount not exceeding ten (10) days for each month
 - 19 served, to be determined by the department from the conduct of the
 - 20 prisoner;
 - 21 2. Performing exceptionally meritorious service or performing duties of
 - 22 outstanding importance in connection with institutional operations and
 - 23 programs, awarded at the discretion of the commissioner in an amount
 - 24 not to exceed seven (7) days per month; and
 - 25 3. Acts of exceptional service during times of emergency, awarded at the
 - 26 discretion of the commissioner in an amount not to exceed seven (7)
 - 27 days per month.

- 1 (2) Except for a sentencing credit awarded for prior confinement, the department may
2 forfeit any sentencing credit awarded under subsection (1) of this section previously
3 earned by the prisoner or deny the prisoner the right to earn future sentencing credit
4 in any amount if during the term of imprisonment, a prisoner commits any offense
5 or violates the rules of the institution.
- 6 (3) When two (2) or more consecutive sentences are to be served, the several sentences
7 shall be merged and served in the aggregate for the purposes of the sentencing credit
8 computation or in computing dates of expiration of sentence.
- 9 (4) Until successful completion of the sex offender treatment program, an eligible
10 sexual offender may earn sentencing credit. However, the sentencing credit shall not
11 be credited to the eligible sexual offender's sentence. Upon the successful
12 completion of the sex offender treatment program, as determined by the program
13 director, the offender shall be eligible for all sentencing credit earned but not
14 otherwise forfeited under administrative regulations promulgated by the Department
15 of Corrections. After successful completion of the sex offender treatment program,
16 an eligible sexual offender may continue to earn sentencing credit in the manner
17 provided by administrative regulations promulgated by the Department of
18 Corrections. Any eligible sexual offender, as defined in KRS 197.410, who has not
19 successfully completed the sex offender treatment program as determined by the
20 program director shall not be entitled to the benefit of any credit on his or her
21 sentence. A sexual offender who does not complete the sex offender treatment
22 program for any reason shall serve his or her entire sentence without benefit of
23 sentencing credit, parole, or other form of early release. The provisions of this
24 section shall not apply to any sexual offender convicted before July 15, 1998, or to
25 any sexual offender with an intellectual disability.
- 26 (5) (a) The Department of Corrections shall, by administrative regulation, specify the
27 length of forfeiture of sentencing credit and the ability to earn sentencing

1 credit in the future for those inmates who have civil actions dismissed because
2 the court found the action to be malicious, harassing, or factually frivolous.

3 (b) Penalties set by administrative regulation pursuant to this subsection shall be
4 as uniform as practicable throughout all institutions operated by, under
5 contract to, or under the control of the department and shall specify a specific
6 number of days or months of sentencing credit forfeited as well as any
7 prohibition imposed on the future earning of sentencing credit.

8 (6) Starting in fiscal year 2021-2022 and through fiscal year 2023-2024, if a state
9 prisoner is confined in a jail pursuant to Section 6 of this Act and earns
10 sentencing credits under subsection (1)(a)2. or 3. of this section while confined in
11 that jail, at the end of that prisoner's period of confinement in that jail, the
12 department shall pay a fee to the unit of local government or regional jail
13 authority responsible for the administration of that jail as follows:

14 (a) For every Department of Corrections-approved program completed which
15 resulted in the issuance of a ninety (90) day sentencing credit, a payment of
16 one thousand dollars (\$1,000) shall be made;

17 (b) For every Department of Corrections-approved program completed which
18 resulted in the issuance of a sixty (60) day sentencing credit, a payment of
19 six hundred dollars (\$600) shall be made; and

20 (c) For every Department of Corrections-approved program completed which
21 resulted in the issuance of a thirty (30) day sentencing credit, a payment of
22 three hundred dollars (\$300) shall be made.

23 (Z) The provisions in subsection (1)(a)2. of this section shall apply retroactively to July
24 1, 2018~~[15, 2011]~~.

25 ➔Section 5. There is hereby appropriated General Fund moneys in the amount of
26 \$30,000,000 in fiscal year 2021-2022 to the Community Services and Local Facilities
27 budget unit to provide the incentive payments outlined in Sections 4 and 6 of this Act.

1 Notwithstanding KRS 45.229, any unexpended funds in fiscal year 2021-2022 shall lapse
2 to the Budget Reserve Trust Fund Account (KRS 48.705).

3 ➔Section 6. KRS 532.100 is amended to read as follows:

- 4 (1) As used in this section, "jail" means a "jail" or "regional jail" as defined in KRS
5 441.005.
- 6 (2) When an indeterminate term of imprisonment is imposed, the court shall commit
7 the defendant to the custody of the Department of Corrections for the term of his or
8 her sentence and until released in accordance with the law.
- 9 (3) When a definite term of imprisonment is imposed, the court shall commit the
10 defendant to a jail for the term of his or her sentence and until released in
11 accordance with the law.
- 12 (4) When a sentence of death is imposed, the court shall commit the defendant to the
13 custody of the Department of Corrections with directions that the sentence be
14 carried out according to law.
- 15 (5) (a) The provisions of KRS 500.080(5) notwithstanding, if a Class D felon is
16 sentenced to an indeterminate term of imprisonment of five (5) years or less,
17 he or she shall serve that term in a jail in a county in which the fiscal court has
18 agreed to house state prisoners; except that, when an indeterminate sentence
19 of two (2) years or more is imposed on a Class D felon convicted of a sexual
20 offense enumerated in KRS 197.410(1), or a crime under KRS 17.510(11) or
21 (12), the sentence shall be served in a state institution. Counties choosing not
22 to comply with the provisions of this paragraph shall be granted a waiver by
23 the commissioner of the Department of Corrections.
- 24 (b) The provisions of KRS 500.080(5) notwithstanding, a Class D felon who
25 received a sentence of more than five (5) years for nonviolent, nonsexual
26 offenses, but who currently has less than five (5) years remaining to be served,
27 may serve the remainder of his or her term in a jail in a county in which the

1 fiscal court has agreed to house state prisoners.

- 2 (c) 1. The provisions of KRS 500.080(5) notwithstanding, and except as
3 provided in subparagraph 2. of this paragraph, a Class C or D felon with
4 a sentence of more than five (5) years who is classified by the
5 Department of Corrections as community custody shall serve that term
6 in a jail in a county in which the fiscal court has agreed to house state
7 prisoners if:
- 8 a. Beds are available in the jail;
 - 9 b. State facilities are at capacity; and
 - 10 c. Halfway house beds are being utilized at the contract level as of
11 July 15, 2000.
- 12 2. When an indeterminate sentence of two (2) years or more is imposed on
13 a felon convicted of a sex crime, as defined in KRS 17.500, or any
14 similar offense in another jurisdiction, the sentence shall be served in a
15 state institution.
- 16 3. Counties choosing not to comply with the provisions of this paragraph
17 shall be granted a waiver by the commissioner of the Department of
18 Corrections.
- 19 (d) Any jail that houses state inmates under this subsection shall offer programs
20 as recommended by the Jail Standards Commission. The Department of
21 Corrections shall adopt the recommendations of the Jail Standards
22 Commission and promulgate administrative regulations establishing required
23 programs for a jail that houses state inmates under this subsection. The
24 Department of Corrections shall approve programming offered by jails to state
25 inmates for sentencing credits in accordance with KRS 197.045.
- 26 (e) Before housing any female state inmate, a jail shall be certified pursuant to
27 KRS 197.020.

- 1 (f) 1. a. If a jail is at or over one hundred fifty percent (150%) capacity, the
2 Department of Corrections may direct the jail to transfer a
3 specified number of state prisoners to vacant beds at other
4 designated jails or state institutions. As used in this paragraph,
5 "capacity" means the capacity listed on the certificate of occupancy
6 issued each year to the jail by the Department of Corrections.
- 7 b. The Department of Corrections shall choose which state prisoners
8 are eligible for transfer based on the security level of the vacant
9 bed at the receiving jail or state institution.
- 10 c. State prisoners who are approved for transfer to a Department of
11 Corrections facility for necessary medical treatment and care
12 pursuant to KRS 441.560 shall not be transferred to another jail.
- 13 d. State prisoners enrolled in a Department of Corrections approved
14 program pursuant to KRS 197.045 shall not be transferred.
- 15 e. State prisoners awaiting trial in the county they are being housed
16 shall not be transferred.
- 17 f. Jails that receive state prisoners pursuant to this subparagraph shall
18 be responsible for the transportation of those prisoners to the jail.
- 19 2. If the Department of Corrections directs the transfer of a state prisoner
20 pursuant to subparagraph 1. of this paragraph, the jailer has fourteen (14)
21 days to transfer the state prisoner. If the jailer refuses to release custody
22 of the state prisoner to the receiving jail within fourteen (14) days, the
23 department shall reduce the per diem for the jail for an amount equal to
24 the per diem of that prisoner for each day the jailer refuses to comply
25 with the direction.
- 26 3. If the Department of Corrections directs the transfer of a state prisoner
27 pursuant to subparagraph 1. of this paragraph, the jailer of the receiving

1 jail shall accept the transfer and transport the state prisoner in
2 accordance with subparagraph 1.f. of this paragraph. If, after receiving a
3 copy of the direction, the jailer refuses to accept and transport the state
4 prisoner, the Department of Corrections shall reduce the per diem for the
5 receiving jail for an amount equal to the per diem of that prisoner for
6 each day the jailer refuses to comply with the direction.

7 4. If a jail has a vacant bed and has a Class C or Class D felon who, based
8 on the Department of Corrections classification system, is eligible to be
9 housed in that vacant bed, the department may direct the jail to transfer
10 the state prisoner to that bed. If the jailer refuses to transfer the state
11 prisoner to the vacant bed, the Department of Corrections shall reduce
12 the per diem for the jail for an amount equal to the per diem of that
13 prisoner for each day the jailer refuses to comply with the direction.

14 5. The per diem reduced pursuant to subparagraph 2., 3., or 4. of this
15 paragraph shall be enforced by withholding the amount from the per
16 diem paid to the jail pursuant to KRS 431.215(2).

17 6. If a jail that is at or over one hundred fifty percent (150%) capacity
18 requests the transfer of a specified number of state prisoners, the
19 Department of Corrections may, if vacant beds are available at other
20 jails, direct the transfer in accordance with subparagraph 1. of this
21 paragraph.

22 (g) If a jail has vacant beds in an area of the jail usually reserved for state
23 prisoners, the jail may house county prisoners in that area.

24 (6) The jailer of a county in which a Class D felon or a Class C felon is incarcerated
25 may request the commissioner of the Department of Corrections to incarcerate the
26 felon in a state corrections institution if the jailer has reasons to believe that the
27 felon is an escape risk, a danger to himself or herself or other inmates, an extreme

1 security risk, or needs protective custody beyond that which can be provided in a
2 jail. The commissioner of the Department of Corrections shall evaluate the request
3 and transfer the inmate if he or she deems it necessary. If the commissioner refuses
4 to accept the felon inmate, and the Circuit Judge of the county that has jurisdiction
5 of the offense charged is of the opinion that the felon cannot be safely kept in a jail,
6 the Circuit Judge, with the consent of the Governor, may order the felon transferred
7 to the custody of the Department of Corrections.

8 (7) (a) Class D felons and Class C felons serving their time in a jail shall be
9 considered state prisoners, and, except as provided in subsection (5)(f) of this
10 section, the Department of Corrections shall pay the jail in which the prisoner
11 is incarcerated a per diem amount determined according to KRS 431.215(2).
12 For other state prisoners and parole violator prisoners, the per diem payments
13 shall also begin on the date prescribed in KRS 431.215(2), except as provided
14 in subsection (5)(f) of this section.

15 (b) 1. The per diem amount paid to the jail shall be increased by two dollars
16 (\$2) per day of program attendance for those inmates enrolled in and
17 attending evidence-based programs approved by the department and
18 that do not require instructors to have completed any postsecondary
19 education.

20 2. The per diem amount paid to the jail shall be increased by ten dollars
21 (\$10) per day of program attendance for those inmates enrolled in and
22 attending evidence-based programs approved by the department and
23 that require instructors to have completed particular postsecondary
24 courses.

25 (c) Any amount beyond the base per diem paid under paragraph (a) of this
26 subsection that is paid under a contract to the jail for an inmate's
27 attendance at an evidence-based program shall be credited toward the ten

1 *dollar (\$10) increase in per diem required under paragraph (b) of this*
2 *subsection.*

- 3 (8) State prisoners, excluding the Class D felons and Class C felons qualifying to serve
4 time in jails, shall be transferred to the state institution within forty-five (45) days of
5 final sentencing.
- 6 (9) (a) Class D felons eligible for placement in a jail may be permitted by the warden
7 or jailer to participate in any approved community work program or other
8 form of work release with the approval of the commissioner of the
9 Department of Corrections.
- 10 (b) The authority to release an inmate to work under this subsection may be
11 exercised at any time during the inmate's sentence, including the period when
12 the court has concurrent authority to permit work release pursuant to KRS
13 439.265.
- 14 (c) The warden or jailer may require an inmate participating in the program to pay
15 a fee to reimburse the warden or jailer for the cost of operating the community
16 work program or any other work release program. The fee shall not exceed the
17 lesser of fifty-five dollars (\$55) per week or twenty percent (20%) of the
18 prisoner's weekly net pay earned from the community work program or work
19 release participation. In addition, the inmate may be required to pay for any
20 drug testing performed on the inmate as a requirement of the community work
21 program or work release participation.
- 22 (d) This subsection shall not apply to an inmate who:
- 23 1. Is not eligible for work release pursuant to KRS 197.140;
- 24 2. Has a maximum or close security classification as defined by
25 administrative regulations promulgated by the Department of
26 Corrections;
- 27 3. Is subject to the provisions of KRS 532.043; or

1 4. Is in a reentry center as defined in KRS 441.005.

2 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO
3 READ AS FOLLOWS:

4 *(1) As used in this section, "development area" means a region within a consolidated*
5 *local government bounded by:*

6 *(a) To the south, Algonquin Parkway to the South Seventh Street intersection,*
7 *but including the unincorporated communities adjacent to Park Duvalle*
8 *and Algonquin:*

9 *1. Beginning at the Ohio River, at the southwest corner of Chickasaw*
10 *Park and then along the park's southern boundary to Southwestern*
11 *Parkway;*

12 *2. Southwestern Parkway south to Algonquin Parkway;*

13 *3. Algonquin Parkway to South Forty-First Street;*

14 *4. South Forty-First Street south to Bells Lane;*

15 *5. Bells Lane east to Cane Run Road;*

16 *6. Cane Run Road north to Linwood Avenue;*

17 *7. Linwood Avenue east to Beech Street;*

18 *8. Beech Street south to Wingfield Lane;*

19 *9. Wingfield Lane east to Dixie Highway;*

20 *10. Dixie Highway north to Algonquin Parkway; and*

21 *11. Algonquin Parkway east to South Seventh Street;*

22 *(b) To the east, South Seventh Street north to Ninth Street and Ninth Street*
23 *north to the Ohio River; and*

24 *(c) The Ohio River to the north and west;*

25 *(2) Prior to any development actions taken by the West End Opportunity Partnership,*
26 *a minimum investment shall be pledged within the order listed and received by*
27 *the West End Opportunity Partnership:*

1 (a) A combined total of twenty million dollars (\$20,000,000) shall be pledged by
2 and received from private sector investors and a consolidated local
3 government, with a minimum of five million dollars (\$5,000,000) pledged by
4 a consolidated local government; and

5 (b) 1. Only upon verification of receipt of the twenty million dollars
6 (\$20,000,000) pledged under paragraph (1) of this subsection, general
7 fund moneys in the amount of ten million dollars (\$10,000,000) shall
8 be appropriated by the General Assembly to the Department for Local
9 Government for use by the West End Opportunity Partnership for
10 revitalization of the development area.

11 2. The Kentucky State Treasurer shall verify that the West End
12 Opportunity Partnership received the full twenty million dollars
13 (\$20,000,000) in accordance with paragraph (a) of this subsection
14 prior to the General Assembly appropriating ten million dollars
15 (\$10,000,000) from the general fund. The West End Opportunity
16 Partnership shall provide the Kentucky State Treasurer the
17 information needed to verify receipt of the funds. Within thirty (30)
18 days of verifying the funds, the Kentucky State Treasurer shall notify
19 the Interim Joint Committee on Appropriations and Revenue.

20 3. If the West End Opportunity Partnership has not received the full
21 twenty million dollars (\$20,000,000) in accordance with paragraph (a)
22 of this subsection prior to June 30, 2022, the General Assembly shall
23 not appropriate the ten million dollars (\$10,000,000) required by
24 paragraph (b)1. of this subsection.

25 ➔Section 8. Sections 1 and 3 of this Act, as codified following the 2021 Regular
26 Session of the Kentucky General Assembly, shall be repealed effective January 1, 2027.
27 Section 2 of this Act, as codified following the 2021 Regular Session of the Kentucky

1 General Assembly, shall be repealed effective January 1, 2025.

2 ➔Section 9. Section 7 of this Act is effective only if the 2021 Regular Session
3 House Bill Number 321 is enacted and becomes law.

4 ➔Section 10. There is hereby appropriated General Fund moneys in the amount of
5 \$20,000,000 in fiscal year 2021-2022 to the rural hospital operations and facilities
6 revolving loan fund established in KRS 154.20-190.

7 ➔Section 11. (1) There is hereby appropriated Federal Funds from the
8 American Rescue Plan Act in the amount of \$37,000,000 in fiscal year 2021-2022 to the
9 Justice Administration budget unit to provide grants to mitigate the spread of SARS–
10 CoV–2 and COVID–19 infections in congregate or vulnerable population settings. The
11 Justice and Public Safety Cabinet shall issue a Request for Proposals to determine if
12 vendors can provide services to detect, diagnose, trace, and monitor SARS–CoV–2 and
13 COVID–19 infections in congregate and vulnerable population settings. Priority for
14 Federal Funds grant awards shall be given to agencies engaged in cooperative agreements
15 or contracts with Commonwealth’s Attorneys in individual Judicial Circuits to
16 specifically address alternative sentencing and diversionary programs for census
17 reduction in congregate settings, including but not limited to prisons, jails, detention
18 centers, and reentry facilities. Grant awards shall focus on providing technical assistance,
19 guidance, and support. The Secretary of the Justice and Public Safety Cabinet shall award
20 grants, contracts, or cooperative agreements to state, local, territorial, and Tribal public
21 health departments for activities to detect, diagnose, trace, monitor, and report on SARS–
22 CoV–2 and COVID–19 infections and related strategies and activities to mitigate the
23 spread of SARS–CoV–2, in congregate or vulnerable population settings.

24 (2) The Secretary shall develop performance outcome measures to which
25 recipients of the funds in subsection (1) of this section shall adhere. The Secretary shall
26 submit a report to the Interim Joint Committee on Appropriations and Revenue by
27 December 31, 2021, and June 30, 2022. The report shall detail which entities received

1 funding, identify the amount of funds awarded to each entity, summarize each entity's use
2 of funds, and summarize each entity's performance.

3 ➔Section 12. The provisions of the Judicial Branch Budget, 2021 Regular Session
4 HB 195/VO in Part, are amended as follows:

5 On page 10, delete lines 15 through 22 in their entirety and renumber subsequent
6 sections accordingly.

7 ➔Section 13. The Court of Justice shall prepare a report detailing the existing
8 budget processes of the Court of Justice and the actual expenditure of funds from fiscal
9 year 2020-2021 and budgeted expenditures for fiscal year 2021-2022, by fund source and
10 individual location or office, for the Supreme Court, Court of Appeals, Circuit Court,
11 Family Court, District Court, Administrative Office of the Courts, Judicial Retirement,
12 Local Facilities Fund, Local Facilities Use Allowance Contingency Fund, and for services
13 performed by the Circuit Court Clerks' offices. This report shall be submitted to the
14 Interim Joint Committee on Appropriations and Revenue by September 1, 2021.

15 ➔Section 14. (1) There is hereby appropriated General Fund moneys in the
16 amount of \$14,700,000 in fiscal year 2021-2022 to the Court Operations and
17 Administration budget unit to provide technology upgrades for virtual hearing equipment
18 between county jails and courts in the amounts specified below:

- 19 (a) \$6,000,000 to expand video arraignment systems to all courtrooms;
20 (b) \$4,600,000 to support videoconferencing systems to permit a hybrid court
21 model;
22 (c) \$2,000,000 to incorporate a self-represented litigant portal;
23 (d) \$1,100,000 to procure redaction system software; and
24 (e) \$1,000,000 to procure self-service kiosks.

25 (2) Pursuant to KRS Chapter 45A, the Administrative Office of the Courts shall
26 issue requests for proposals for the items listed in subsection (1) of this section by
27 September 30, 2021.

1 ➔Section 15. There is hereby appropriated Federal Funds from the American
2 Rescue Plan Act in the amount of \$6,173,600 in fiscal year 2020-2021 and \$5,934,200 in
3 fiscal year 2021-2022 to the Community Services and Local Facilities budget unit to
4 provide a \$2 per day, per state inmate per diem. The per diem shall be used to defray
5 COVID-19-related expenditures for testing, mitigation, and other response expenditures
6 to county jails that house state inmates. The funds hereby appropriated shall be
7 retroactively paid to county jails that have housed state inmates in fiscal year 2020-2021
8 since the initial emergency declaration was issued and shall continue to be paid in fiscal
9 year 2021-2022 for the duration of COVID-19-related emergency declarations in
10 accordance with the provisions of KRS Chapter 39A.

11 ➔Section 16. (1) There is hereby authorized and appropriated Federal Funds
12 from the Coronavirus Capital Projects Fund of the American Rescue Plan Act in the
13 amount of \$53,000,000 in fiscal year 2021-2022 to the Facilities and Support Services
14 budget unit in the Finance and Administration Cabinet for continuing renovations to the
15 interior of the Capitol Building including mechanical, electrical, and plumbing upgrades.
16 These expenditures shall conform to KRS 45.750 to 45.818.

17 (2) There is hereby authorized and appropriated Federal Funds from the
18 Coronavirus Capital Projects Fund of the American Rescue Plan Act in the amount of
19 \$5,000,000 in fiscal year 2021-2022 to the Facilities and Support Services budget unit in
20 the Finance and Administration Cabinet for renovations to the exterior of the Capitol
21 Annex Building including terrace repairs and waterproofing upgrades. These expenditures
22 shall conform to KRS 45.750 to 45.818.

23 (3) In the event that the appropriations authorized in subsections (1) and (2) of
24 this section do not qualify as eligible expenditures of the Coronavirus Capital Projects
25 Fund, the Federal Funds shall be reallocated to the School Facilities Replacement and
26 Renovation Fund.

27 ➔Section 17. There is hereby appropriated Federal Funds from the Coronavirus

1 Capital Projects Fund of the American Rescue Plan Act of 2021 in the amount of
2 \$127,000,000 in fiscal year 2021-2022 to the School Facilities Replacement and
3 Renovation Fund in the School Facilities Construction Commission budget unit to
4 support school facility construction costs.

5 Notwithstanding KRS 157.611 to 157.665, the School Facilities Construction
6 Commission is authorized to make additional offers of assistance in fiscal year 2021-2022
7 to local school districts for schools that are ranked as the highest on the Kentucky
8 Facilities Inventory and Classification System report as of February 27, 2020, that are A1
9 schools, that are ranked as a Priority 1 or 2 on the local school district's facility plan, and
10 that have levied a ten-cent equivalent tax dedicated to capital improvements but remain
11 unable to cash fund or to sufficiently support the required annual debt service for
12 replacement or renovation of the school. The offer of assistance shall represent the
13 difference between the cost to replace or renovate the designated facility and the amount
14 of available local resources.

15 The School Facilities Construction Commission shall make offers of assistance to
16 each local school district only upon the written authorization of the Commissioner of
17 Education or his or her designee and documentation of the project cost.

18 ➔Section 18. There is hereby appropriated General Fund moneys in the amount of
19 \$75,000,000 in fiscal year 2021-2022 to the School Facilities Construction Commission
20 to support local area vocational education center renovation costs. A local school district
21 that owns a facility designated as a local area vocational education center shall be eligible
22 to receive up to \$10,000,000 to support renovation costs if the center provides substance
23 use disorder programs and job creation training. The School Facilities Construction
24 Commission shall establish a funding pool and develop criteria for the districts to receive
25 funding. Substance use disorder programs, job creation and training programs, bonding
26 capacity, and a needs-based local match shall be included in the criteria.

27 ➔Section 19. Whereas an appropriation of moneys is made in fiscal year 2020-

1 2021 to the Community Services and Local Facilities budget unit, an emergency is
2 declared to exist, and this Act takes effect upon its passage and approval by the Governor
3 or upon its otherwise becoming a law.