



March 1, 2021

### **The End of Session is Near**

Today marks the 20<sup>th</sup> Legislative Day (out of 29) for this 2021 Legislative Session - Sine Die will be on March 30<sup>th</sup>. You can expect movement to really pick up this week in Frankfort. Of course, the major issue the legislature still has left to tackle is the budget.

Now that the bill filing deadline has come and gone, time has come to turn our attention to committee substitutes and amendments, as well as the supported and opposed legislation that we are already keeping a close eye on.

During last Friday's (2/26) Legislative Quick Response Team (QRT), the QRT voted to support six new pieces of legislation. These are HB 570, HB 587, HB 588, SB 100, SB 125, and SB 264.

#### HB 570 (Meade, D):

This bill establishes the Kentucky Emergency Rental Assistance Fund and provides for its administration and funding. If a state emergency is declared that exceeds 30 days and includes a cease on evictions, \$5 million will be put into the Assistance Fund. The \$5million will come from the Budget Reserve Trust Fund.

#### HB 587/HB 588/SB 100/SB 125 (Fleming/Stivers):

This bipartisan bill would offer investment and economic solutions to Louisville's West End neighborhoods of Parkland, Shawnee, Park Duvalle, Russell, Portland, California, Chickasaw, Park Hill, and Algonquin. Key elements of the legislation include measures to attract investment, prevent displacement of current residents due to increasing housing values, creation of a tax incremental financing program and development area, and creation of a board to oversee investment opportunities and neighborhood initiatives.

#### SB 264 (West, S):

This bill would forbid a governmental entity to prohibit or impose other restrictions on evictions or foreclosure for nonpayment of rent during a state of emergency.

Other bills that moved forward in the legislative process last week include:

- HB 172 (Appraisers Board) – Passed out of House Licensing and Occupations Committee
- HB 207 (Fossil Fuels) – Passed on the House floor and is headed to the Senate
- HB 340 (Radon Safety Board) – Passed out of House Licensing and Occupations Committee
- SB 10 (Commission on Race & Access to Opportunity – Passed on the Senate Floor, headed to House.
- SB 11 (Damage to Rental Property) – Has already passed the Senate, in House Licensing and Occupations on Wednesday.
- SB 243 (County Clerks) – In Senate Judiciary Committee today for discussion only.

Kentucky REALTORS® staff and consultants will be keeping a close eye on budget discussions and will keep you informed on what transpires over the last few weeks of session.

## Helpful Links

[2021 KYR Legislative Guide](#)

[KYR Legislative Updates \(Archive\)](#)

[2021 Legislative Session Calendar](#)

[Find My Legislator](#)

[House and Senate Bill Status Information](#)

Please be sure to look for KYR's Legislative Update sent weekly during this legislative session for the latest updates and information in Frankfort and how it affects your business.

KYR and the Quick Response Team will keep you up to date on issues during the 2021 Legislative Session. Please contact Richard Wilson, KYR Government Affairs Director, at [rwilson@kyrealtors.com](mailto:rwilson@kyrealtors.com) if you have questions or comments regarding KYR's legislative activity.

# KYR Legislative Tracker

As of 2/26/2021

**Green = Supported**

**Red = Opposed**

## **HB151** RECORDED INSTRUMENTS *(FISCHER, JOSEPH M.)*

AN ACT relating to recorded instruments.

Create a new section of KRS Chapter 67 to define "recorded instrument" and "portal"; require county clerks to be open for reviewing and obtaining copies of recorded instruments for 40 hours a week unless they maintain a portal that allows the public to search for electronic copies of recorded instruments; establish deadlines for county clerks to maintain portals for the filing and searching of recorded instruments.



### **CURRENT STATUS**

1/5/2021 – Introduced

**KYR Position: SUPPORT**

[HB151 Bill Page](#)



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## **HB172** KENTUCKY REAL ESTATE APPRAISERS BOARD *(FRAZIER, DEANNA)*

AN ACT relating to the Kentucky Real Estate Appraisers Board.

Amend KRS 324A.015 to require the board to employ state-certified general appraisers with at least five years of experience to conduct grievance investigations; amend KRS

324A.035 to make technical corrections; amend KRS 324A.047 and 324A.050 to clarify standards; amend KRS 324A.052 to require complaints to be filed within five years after the date of transmittal of the appraisal report or review assignment or at least two years after the final disposition of any judicial proceeding that the appraiser provided testimony related to the assignment; amend KRS 324A.065 to require the initial application fee to not exceed \$200 for federally related transactions; require the annual certificate and licensure fees to not exceed \$200 for federally related transactions; establish a returned check fee of \$50 for federally related transactions; eliminate the initial application fee, examination fee, duplicate certificate fee, and roster fee for nonfederally related transactions; require the board to promulgate administrative regulations to establish and collect a prelicensure fee not to exceed \$100 and a continuing education course review fee not to exceed \$50; amend KRS 324A.150 to include a network, list, or roster of licensed or certified appraisers to the definition of "appraiser panel"; amend KRS 324A.152 to require an appraisal management company to certify that it is not partly or fully owned by an appraiser whose license has been disciplined; amend KRS 324A.154 to require the board to promulgate administrative regulations with the approval of the executive director of the Kentucky Real Estate Authority; amend KRS 324A.164 to exclude a federally defined "federally regulated appraisal management company" from the appraisal management company statutes.



## CURRENT STATUS

1/5/2021 – Introduced

### KYR Position: SUPPORT

[HB172 Bill Page](#)



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## HB207 UTILITY SERVICE (GOOCH JR., JIM)

AN ACT relating to utility service.

Create a new section of KRS Chapter 65 to prohibit a local government entity from taking any legislative or executive action that has the purpose or effect of impairing a consumer's ability to use a utility service that is described in KRS 278.010(3)(a), (b), or (c) and that is provided by a

utility regulated by the Public Service Commission under KRS Chapter 278 or is otherwise incorporated under KRS Chapter 279.

 CURRENT STATUS

1/7/2021 – Introduced

**KYR Position: SUPPORT**

[HB207 Bill Page](#) 

**HB570 EMERGENCIES** (MEADE, DAVID)

AN ACT relating to emergencies and making an appropriation therefor.

Create new sections of KRS Chapter 198A to establish the Kentucky emergency rental assistance fund and provide for its administration and funding; set out the requirements for the use of the Kentucky emergency rental assistance fund; amend KRS 39A.100 to limit the Governor from suspending or modifying KRS Chapter 383 or KRS 65.875 during an emergency; amend KRS 214.020 to limit the actions taken by the Cabinet for Health and Family Services during an epidemic to 30 days unless extended by the General Assembly.

 CURRENT STATUS

**KYR POSITION: SUPPORT**

2/23/2021 - Introduced

[HB570 Bill Page](#) 

**HB587 WEST END OPPROTUNITY PARTNERSHIP** (FLEMING, KEN)

AN ACT relating to the West End Opportunity Partnership and making an appropriation therefor.

Create a new section in KRS Chapter 65 to define terms and require a minimum investment be pledged from private sector investors, consolidated local government, and the Commonwealth; require incremental tax revenues be pledged to the West End Opportunity Partnership from a consolidated local government and the Commonwealth; effective only if 2021 Regular Session Bill Request Number 1553 becomes law; APPROPRIATION.



## CURRENT STATUS

### KYR POSITION: SUPPORT

2/23/2021 - Introduced

[HB587 Bill Page](#)



### **HB588** PROPERTY IN A DEVELOPMENT AREA *(FLEMING, KEN)*

AN ACT relating to property in a development area.

Create new sections in KRS Chapter 65 to state findings and declaration of the General Assembly for the development area; define terms; establish the West End Opportunity Partnership, its powers and duties and purpose; require the West End Opportunity Partnership to comply with open meetings and open records requirements; require the West End Opportunity Partnership to reimburse real property taxes; establish the board and membership requirements; require a local participation agreement and specify provisions of the agreement; establish requirements pertaining to documentation, records, incremental revenues, and bonds; require reporting of the West End Opportunity Partnership to the Interim Joint Committee on Appropriations and Revenue; establish the West End Louisville Advisory Council and its members and duties; create a new section in KRS Chapter 132 to establish the classification of residential property in a revitalization area; define terms; and prohibit the legislative body of a consolidated local government from levying an ad valorem tax rate on residential property in a revitalization area that is higher than 50 percent of the prevailing rate of other real property located in its jurisdiction; EFFECTIVE only if 2021 Regular Session Bill Request Number 1454 becomes law.



## CURRENT STATUS

## KYR POSITION: SUPPORT

2/23/2021 - Introduced

[HB588 Bill Page](#) 

## HB595 RIGHTS AND OBLIGATIONS OF LANDLORDS AND TENANTS TO A RESIDENTIAL LEASE *(KULKARNI, NIMA)*

AN ACT concerning rights and obligations of landlords and tenants to a residential lease.

Repeal and reenact and create new sections of KRS Chapter 383 to enact the Uniform Residential Landlord and Tenant Act and apply it across the Commonwealth; repeal various sections of KRS Chapter 383 to conform.



### CURRENT STATUS

## KYR POSITION: OPPOSE

2/23/2021 - Introduced

[HB595 Bill Page](#) 

## SB10 CREATION OF THE COMMISSION ON RACE AND ACCESS OF OPPORTUNITY *(GIVENS, DAVID P.)*

AN ACT relating to the creation of a Commission on Race and Access to Opportunity.

Create a new section of KRS Chapter 7 to establish a Commission on Race and Access to Opportunity; define "commission"; set forth the membership of the commission; authorize the authority to hold monthly meetings, seek comment and testimony, and provide research driven policy proposals; and require the commission to publish an annual report.



### CURRENT STATUS

1/13/2021 – Introduced

**KYR Position: SUPPORT**

[SB10 Bill Page](#)



## **SB11** CRIMINAL DAMAGE TO RENTAL PROPERTY *(SCHICKEL, JOHN)*

AN ACT relating to criminal damage to rental property.

Amend KRS 512.010 to define "lease or rental agreement", "residential rental property", and "tenant"; amend KRS 512.020, 512.030, and 512.040 to specifically include damage to residential rental property in the crime of criminal mischief.



### **CURRENT STATUS**

1/5/2021 - (S) Referred to Committee Senate Licensing, Occupations, & Administrative Regulations (S)

**KYR Position: SUPPORT**

[SB11 Bill Page](#)



## **SB100** PROPERTY IN A DEVELOPMENT AREA *(STIVERS, ROBERT)*

AN ACT relating to property in a development area.

Create new sections in KRS Chapter 65 to state findings and declaration of the General Assembly for the development area; define terms; establish the West End Opportunity Partnership, its powers and duties and purpose; require the West End Opportunity Partnership to comply with open meetings and open records requirements; require the West End Opportunity Partnership to reimburse real property taxes; establish the board and membership requirements; require a local participation agreement and specify provisions of the agreement; establish requirements pertaining to documentation, records, incremental revenues, and bonds; require reporting of the West End Opportunity Partnership to the Interim Joint Committee on Appropriations and



Revenue; establish the West End Louisville Advisory Council and its members and duties; create a new section in KRS Chapter 132 to establish the classification of residential property in a revitalization area; define terms; and prohibit the legislative body of a consolidated local government from levying an ad valorem tax rate on residential property in a revitalization area that is higher than 50 percent of the prevailing rate of other real property located in its jurisdiction; EFFECTIVE only if 2021 Regular Session Bill Request Number 850 becomes law.



## CURRENT STATUS

### KYR POSITION: SUPPORT

2/23/2021 - Introduced

[SB100 Bill Page](#)



### **SB121** RESIDENTIAL COMMUNITIES *(ALVARADO, RALPH)*

AN ACT relating to residential communities.

Create new sections of KRS Chapter 381 to define terms related to planned communities; establish administrative standards for planned communities; provide standards for declarations for planned communities; indicate that planned communities shall have a declaration accompanied by bylaws that include specific provisions; provide that associations shall have an executive board with enumerated powers; allow periods of declarant control of the associations; provide for rights and responsibilities of associations; require associations to keep certain financial records; allow associations to assess lot owners for certain expenses; allow associations to have a lien upon any lot for nonpayment of assessments; provide guidelines for revitalization of defunct associations; establish guidelines for civil liabilities; define "governing documents" and "homeowners' association"; state that the governing documents may not prohibit the outdoor display of political yard signs 30 days before any special, primary, or regular election until seven days after that election; establish a short title.



## CURRENT STATUS

### KYR POSITION: OPPOSE

2/2/2021 - Introduced

[SB121 Bill Page](#) 

## **SB125** WEST END OPPORTUNITY PARTNERSHIP *(STIVERS, ROBERT)*

AN ACT relating to the West End Opportunity Partnership and making an appropriation therefor.

Create new a section in KRS Chapter 65 to define terms and require a minimum investment be pledged from private sector investors, consolidated local government, and the Commonwealth; require incremental tax revenues be pledged to the West End Opportunity Partnership from a consolidated local government and the Commonwealth; effective only if 2021 Regular Session Bill Request Number 1553 becomes law; APPROPRIATION.



### **CURRENT STATUS**

## **KYR POSITION: SUPPORT**

2/23/2021 - Introduced

[SB125 Bill Page](#) 

## **SB243** RECORDED INSTRUMENTS *(WEST, STEPHEN)*

AN ACT relating to recorded instruments.

Create a new section of KRS Chapter 67 to define "recorded instrument" and "portal"; require county clerks to be open for reviewing and obtaining copies of recorded instruments for 40 hours a week unless they maintain a portal that allows the public to search for electronic copies of recorded instruments; establish deadlines for county clerks to maintain portals for the filing and searching of recorded instruments; create a task force on issues regarding the implementation of electronic recording, fees or functions of the county clerk in the recording of documents, closure of county clerk offices due to an emergency, and related issues; report by December 1, 2021.



## CURRENT STATUS

### KYR POSITION: SUPPORT

2/11/2021 - Introduced

[SB243 Bill Page](#)



### **SB264** EVICTION PROHIBITION DURING EMERGENCIES *(WEST, STEPHEN)*

AN ACT relating to eviction prohibition during emergencies.

Amend KRS 39A.100 to forbid a prohibition against evictions during an emergency.



## CURRENT STATUS

### KYR POSITION: SUPPORT

2/22/2021 - Introduced

[SB264 Bill Page](#)



### **SR51** HONORING JEFF SMITH *(SCHICKEL, JOHN)*

A RESOLUTION honoring Jeff Smith upon winning the Lifetime Achievement Award from the Northern Kentucky Association of Realtors.

Honor Jeff Smith upon winning the Lifetime Achievement Award from the Northern Kentucky Association of Realtors.



## CURRENT STATUS

## KYR POSITION: SUPPORT

2/2/2021 - Introduced

[SR51 Bill Page](#)

