



February 11, 2022

Legislative Report No. 7

2022 Kentucky General Assembly

Today marked the twenty-seventh legislative day of the 2022 Session of the Kentucky General Assembly. There has been a total of 274 senate and 562 house bills and resolutions introduced in the first twenty-seven legislative days.

Bills of interest:

[HB 6: S. Santoro - AN ACT relating to the valuation of motor vehicles for property tax purposes and declaring an emergency.](#)

This bill would exempt from state and local ad valorem taxes, including the county, city, school, or other taxing district in which the motor vehicle has taxable situs from the portion of property taxes computed on any increase in the motor vehicle's valuation from January 1, 2021. Anyone who paid motor vehicle property taxes prior to the implementation of this bill shall be entitled to a refund of the overpayment of taxes. This bill would also require the average trade-in value and not the rough trade-in value or clean trade-in value be used as the standard value of a motor vehicle for property tax purposes and would allow the property valuation administrator to adjust the value of a motor vehicle when the registrant has provided evidence that the standard value does not reflect the motor vehicle's condition, options, mileage, or certificate of title issued. This bill passed the House [95-0](#) and is in the Senate awaiting action. Since this bill has an emergency clause it would become effective upon the Governor's signature.

[HB 392: J. Branscum - AN ACT relating to merchant electric generating facilities.](#)

This bill would provide the terms of service for the ad hoc members of the Kentucky State Board on Electric Generation and Transmission Siting end when the merchant electric generating facility for which they were appointed has been constructed and has begun generating

electricity for sale. It would also include decommissioning requirements within the requirements over which local planning and zoning requirements shall have primacy and require that a decommissioning plan be included in an application for construction of a merchant electric generating facility, establish minimum requirements for a decommissioning plan and require as part of a decommissioning plan that a bond or similar security be secured to assure that the decommissioning plan is accomplished. This bill would also require that an updated copy of the bond or similar security be refiled at least once every five years and require that notice be given of any transaction involving the sale or transfer of ownership of the facility to the board and local officials within five days of finalizing the transaction and require a person who has acquired a merchant electric generating facility to file with the board written consent to assume the obligations in the decommissioning plan for the facility and to adopt or replace the required decommissioning bond. This bill passed the House [91-3](#) and has been assigned to the Senate Natural Resources and Energy Committee.

2022 KFB State Priority Issues:

"Support a decommissioning bond on all commercial solar projects. These bonds should be reviewed at least every three years."

"Support oversight of ownership and control for energy infrastructure."

[SB 69: P. Hornback - AN ACT relating to merchant electric generating facilities and declaring an emergency.](#)

This bill would prohibit an electrical interconnection with a merchant electric generating facility that either operates at an aggregate capacity in excess of 10 megawatts or occupies in aggregate 10 acres or more of land until the plans for the electrical interconnection have been filed with the Public Service Commission. It would also prohibit a utility from beginning construction on an electric generating facility that either operates at an aggregate capacity in excess of 10 megawatts or occupies in aggregate 10 acres or more of land without first obtaining a site compatibility certificate from the Public Service Commission. This bill would establish setback requirements for solar merchant electric generating facilities of 50 feet from the property boundary of any nonparticipating adjoining property and 100 feet from a residence on any other property than the one on which the facility is to be located unless waived in writing and would provide exceptions. It would require that before exercising an option to acquire any interest in real estate in a county, that a merchant electric generating entity notify the heads of local government entities of jurisdiction and allow the local officials or the commission to request a public hearing on the proposed merchant electric generating project. This bill would require the site assessment report submitted by a person proposing to construct a merchant electric generating facility to include a decommissioning plan to explain in detail how the facility and its

components will be removed at the end of their useful lives; require the decommissioning plan to be reviewed as needed, but at least once every 5 years; establish minimum requirements for the decommissioning plan. It would provide that the construction certificate holder and any of its successors in interest shall be required to comply on an ongoing basis with all conditions of its application approval, subject to enforcement in Franklin Circuit Court. This bill would require that prior to the commencement of construction, the holder of a construction certificate for a merchant electric generating facility shall furnish bond or other similar security to assure the decommissioning of the facility at the end of its useful life.

EMERGENCY. This bill has been assigned to the Senate Nature Resources and Energy Committee. It is our understanding that a committee substitute is being worked on for this bill.

2022 KFB State Priority Issues:

"Support a decommissioning bond on all commercial solar projects. These bonds should be reviewed at least every three years."

"Support oversight of ownership and control for energy infrastructure."

SB 53: P. Hornback - AN ACT relating to the acquisition of conservation equipment.

This bill would include heavy or specialized equipment acquired by the Soil and Water Conservation Commission with the types of equipment that the board of a conservation district may make available or lease to landowners and occupiers within the district. This bill passed the Senate [33-0](#) and is in the House awaiting action.

HB 390: K. King - AN ACT relating to economic development.

This bill would add the Commissioner of Agriculture as a voting member to the Kentucky Economic Development Partnership Board and change the quorum from seven to eight members. This bill has been assigned to the House Economic and Workforce Development Committee.

SB 121: D. Givens – AN ACT relating to agriculture exemption license numbers and declaring an emergency.

This bill would require a person who has an agriculture exemption license number to provide it to the seller or retailer at the time of purchase and allow a retailer to accept an agriculture exemption license number instead of a certificate of exemption at the time of a sale. This bill has been assigned to the Senate Appropriations and Revenue Committee.

HOW TO CONTACT YOUR LEGISLATORS

During the week, you may reach your representative and senator in Frankfort by calling 502.564.8100.

If you do not desire to talk to your state legislator immediately or you just want to leave a message, you may dial toll-free 800.372.7181. An answering service will take your message for your representative or senator. The legislative calendar information line is 800.633.9650, the bill status line is 866.840.2835, and the Governor's office number is 502.564.2611.

If you desire to e-mail your representative or senator, [click here](#) for a list of e-mail addresses for members of the Kentucky General Assembly. Find your legislator and click on his or her name to access their e-mail address.

YOUR LOBBYISTS

The following are registered to lobby for Kentucky Farm Bureau for the 2022 session: Jeff Harper, Public Affairs Director, extension 5104; Kyle Kelly, extension 7417; and Drew Graham, extension 5121. If you would like to call your lobbyists during the evening, call 502.495.5000 and key in their extensions.

If you would like to contact one of your lobbyists during the day, please call Katie Weatherholt at 502.493.7669 and she will put you in touch with one of them.

KEEP ALL LEGISLATIVE REPORTS FOR FUTURE USE

We suggest that you keep a record of the Legislative Reports on file because, on occasion, we may refer to a previous report as a source of more details regarding an issue.

FUTURE DATES OF INTEREST

February 21..... President's Day Holiday
February 22..... Last Day for Bill Requests
March 1..... Last Day for New House Bills
March 3..... Last Day for New Senate Bills
March 16..... KFB Legislative Drive-In/Food Check-Out Day
March 29 & 30 Concurrence Only
March 31 - April 12..... Veto Period
April 14..... General Assembly, Sine Die

**The Legislative Report and KFB's Priority Issues are also on
KFB's website at kyfb.com and the KFB app.**