

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2024 REGULAR SESSION
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Amend printed copy of **HB 509/GA**

On page 1, between lines 5 and 6, insert:

"(a) "Agency-designated digital communication application" means an application software hosted by a third-party provider that is trackable and publicly disclosable, utilized, and accessed from a personal computer or mobile phone, that is created, established, furnished, maintained, or supported by the Commonwealth Office of Technology or another department, office, agency, or vendor that is accountable to a public agency or the appointing authority of a public agency for the purpose of communicating agency business;"; and

On page 1, line 6, delete "**(a)**" and insert "**(b)**" in lieu thereof; and

On page 1, line 9, delete "**(b)**" and insert "**(c)**" in lieu thereof; and

On page 1, line 16, after "**account**" insert "**or an agency-designated digital communication application**"; and

On page 1, line 17, after "**agency**", insert "**exclusively through those methods. Any communication or information contained in the agency-furnished email account or agency-designated digital communication application shall be deemed in the possession of the public agency for the purposes of KRS 61.870 to 61.884**" in lieu thereof; and

On page 2, line 1, after "**account**", insert "**or an agency-designated digital communication application**"; and

Amendment No. SFA 1

Rep. Sen. Lindsey Tichenor

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

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On page 2, line 12, after "61.884.", insert "*The public agency shall select an agency-designated digital communication application or an agency-designated email to be used for exclusive communication purposes for agency business.*"; and

On page 2, delete lines 16 to 18 in their entirety and insert the following in lieu thereof:

"(5) An employee of a public agency shall not use any digital communication application or email account other than:

(a) An agency-designated digital communication application;

(b) An agency-furnished email account;

(c) A mobile phone or personal electronic device, if one was provided on behalf of, or subsidized by the public agency; or

(d) An agency-designated email account;

to conduct the business of the public agency."; and

On page 2, delete lines 22 to 25 in their entirety and insert the following in lieu thereof:

"(7) A member of a board, commission, or public agency shall not use any digital communication application or email account other than:

(a) An agency-designated digital communication application;

(b) An agency-furnished email account;

(c) A mobile phone or personal electronic device, if one was provided on behalf of, or subsidized by the public agency; or

(d) An agency-designated email account;

to conduct the business of the board, commission, or public agency."; and

On page 3, lines 22 to 23, delete in its entirety and insert in lieu thereof:

"(a) An electronic device or system that is the property of, subsidized by, or under the control of, the public agency;"; and

On page 3, line 25, delete "." and insert "or" in lieu thereof; and

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On page 3, between lines 25 and 26, insert:

"(c) *An agency-designated digital communication application.*"; and

On page 4, line 19, remove brackets and strikethrough from "[~~and KRS~~]".