

1 AN ACT relating to retail filling stations.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 100 IS CREATED TO  
4 READ AS FOLLOWS:

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

6 *(a) "Electric vehicle charging station" has the same meaning as in KRS*  
7 *138.477; and*

8 *(b) "Retail filling station" has the same meaning as in KRS 138.210.*

9 *(2) A city, county, urban-county government, charter county, or consolidated local*  
10 *government shall not utilize a zoning process, or adopt or enforce an ordinance,*  
11 *order, regulation, or similar measure that:*

12 *(a) Prohibits or limits a retail filling station from locating at any place within*  
13 *its jurisdiction at which other businesses of similar uses or character which*  
14 *serve the public may locate;*

15 *(b) Could be reasonably construed to apply discriminatory treatment to the use*  
16 *or location of retail filling stations; or*

17 *(c) Treats retail filling stations differently than electric vehicle charging*  
18 *stations.*

19 *(3) This section shall not prohibit a local jurisdiction identified in subsection (2) of*  
20 *this section from subjecting retail filling stations to restrictions similar to those*  
21 *applicable to other businesses that:*

22 *(a) Provide siting requirements, including siting requirements involving certain*  
23 *geographic areas;*

24 *(b) Do not effectively prohibit the operation of a retail filling station; and*

25 *(c) Are not preempted by state or federal law.*