

CHAPTER 186**(HB 581)**

AN ACT relating to retail filling stations.

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

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

- (1) *As used in this section:*
 - (a) *"Electric vehicle charging station" has the same meaning as in KRS 138.477; and*
 - (b) *"Retail filling station" has the same meaning as in KRS 138.210.*
- (2) *A city, county, urban-county government, charter county, or consolidated local government shall not utilize a zoning process, or adopt or enforce an ordinance, order, regulation, or similar measure that:*
 - (a) *Prohibits or limits a retail filling station from locating at any place within its jurisdiction at which other businesses of similar uses or character which serve the public may locate;*
 - (b) *Could be reasonably construed to apply discriminatory treatment to the use or location of retail filling stations; or*
 - (c) *Treats retail filling stations differently than electric vehicle charging stations.*
- (3) *This section shall not prohibit a local jurisdiction identified in subsection (2) of this section from subjecting retail filling stations to restrictions similar to those applicable to other businesses that:*
 - (a) *Provide siting requirements, including siting requirements involving certain geographic areas;*
 - (b) *Do not effectively prohibit the operation of a retail filling station; and*
 - (c) *Are not preempted by state or federal law.*

Veto Overridden April 12, 2024.