

**100.361 Construction of chapter.**

- (1) Nothing in this chapter shall apply or affect zoning regulations adopted pursuant to KRS Chapter 183.
- (2) Nothing in this chapter shall impair the sovereignty of the Commonwealth of Kentucky over its political subdivisions. Any proposal affecting land use by any department, commission, board, authority, agency, or instrumentality of state government shall not require approval of the local planning unit. However, adequate information concerning the proposals shall be furnished to the planning commission by the department, commission, board, authority, agency, or instrumentality of state government. If the state proposes to acquire, construct, alter, or lease any land or structure to be used as a penal institution or correctional facility, and the proposed use is inconsistent with or contrary to local planning regulations or the comprehensive plan for the area, the secretary of the Justice and Public Safety Cabinet, or his or her designee, shall notify, in accordance with KRS 424.180, the planning commission, the local governing body who has jurisdiction over the area involved, and the general public of the state's proposals for the area, and he or she shall hold a public hearing on the proposals within the area at least ninety (90) days prior to commencing the acquisition, construction, alteration, or leasing. A final report on the public hearing shall be submitted to the Governor and members of the General Assembly within twenty-five (25) days of the public hearing, and prior to commencing any construction, alteration, acquisition, or leasing of such property or facilities.

**Effective:** June 26, 2007

**History:** Amended 2007 Ky. Acts ch. 85, sec. 157, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 211, sec. 15, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 178, sec. 1, effective July 13, 1984. -- Created 1966 Ky. Acts ch. 172, sec. 89.