

189A.010 (1)(d)(as evidence of the presence of a controlled substance), it may be used as evidence of violation of KRS 189A.010(c)(operation or control while actually under the influence of a substance or combination of substances which impair one's driving ability), or a violation of KRS 189A.010(1)(e)(operation or control while actually under the combined influence of alcohol and any other substance which impairs one's driving ability). HB 123 GA similarly amends KRS 189A.0010 (4)(b) to provide that if the defendant had a valid prescription for the controlled substance, though the blood test results may not be used to show a violation of KRS 189A.010 (1)(d)(as evidence of the presence of a controlled substance), it may be used as evidence of violation of KRS 189A.010(c)(operation or control while actually under the influence of a substance or combination of substances which impair one's driving ability), or a violation of KRS 189A.010(1)(e)(operation or control while actually under the combined influence of alcohol and any other substance which impairs one's driving ability).

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of HB 123 GA on local jails is expected to be minimal.

HB 123 GA may result in a minimal number of additional DUI convictions and so should have minimal fiscal impact on expenses or revenues of local jailers.

Data Source(s): LRC staff; Kentucky County Attorneys Association.

Preparer: Mary Stephens **Reviewer:** MCY **Date:** 1/28/15