Local Mandate Fiscal Impact Estimate
Kentucky Legislative Research Commission
2015 Regular Session

Part I: Measure Information

Bill Request #: 1022

Bill #: HB 312 GA

Bill Subject/Title: An ACT relating to stray equines and cattle.

Sponsor: Rep. Tom McKee

Unit of Government: ____ City x County x Urban-County Unified Local Government x Charter County x Consolidated Local

Office(s) Impacted: Fiscals Courts, Justices of the Peace, County Clerks

Requirement: x Mandatory ____ Optional

Effect on Powers & Duties: x Modifies Existing x Adds New ____ Eliminates Existing

Part II: Purpose and Mechanics

HB 312 GA moves responsibility for documentation and swearing of oath relating to the taking up of stray cattle and equines (taken up by a "taker-up") from the office of the "justice of the peace" (i.e., magistrate) to the county judge executive. It removes the collection of a $.75 fee paid to the county clerk for recording of the "stray certificate". Posting of a copy of the certificate in the sheriff's office is changed from "within one (1) month" to "immediately". The bill provides that a taker-up may geld a stray after a 10-day waiting period and deletes the original provision that the owner must pay for the cost of the gelding. The bill deletes the provision that absolute ownership of the stray is vested in the taker-up after a 90-day period and replaces it with a 15 day period.

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

The fiscal impact of HB 312 GA on local government is expected to be minimal.

County clerks will no long receive a $.75 fee for recording of "stray certificates". Time and effort for processing documentation relating to strays taken up will shift from the individual justices of the peace to the offices of county judge executives.

Data Source(s): Kentucky Association of Counties; Franklin County Judge's Office; Kentucky Constable Association; KY County Clerks Association

Preparer: Hank Marks **Reviewer:** MCY **Date:** 2/24/15