

findings, the name and residence of the taker-up and the location of the stray equine and maintain documentation in electronic and paper format. Notification must be posted on the county of jurisdiction's Web site and the county judge/executive must post one photograph of the stray equine's front view and one photograph of the stray equine's side view. The hold time may not begin until all documentation has been properly filed and posted by the county judge/executive and taker-up.

HB 312 SCS requires that, if ownership is found from identifiers of the stray equine, efforts be made by the county judge/executive or his designee to ascertain the owner by investigatory due diligence in locating the owner and providing notice before the holding time expires. The Senate Committee Substitute requires the owner/claimant of the stray equine to reimburse the county judge/executive for the cost of the veterinarian assessment per the contracted agreement and allows parties of a dispute relating to ownership, adverse claimants, third-party claims or liens, value of the equine, or actual itemized expenses incurred, to file an action in a court of competent jurisdiction in which the stray equine was taken up.

HB 312 SCS amends KRS 259.140 to exempt the taker-up from paying the owner of the stray equine if the stray equine is sold for profit before absolute ownership of the stray equine has vested and provides that the owner not be entitled to any payment from the taker-up if demand for payment is made more than 15 days after the posting of stray equine and vesting of ownership.

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

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

County clerks will no longer receive a \$.75 fee for recording of "stray certificates". Time and effort for processing documentation relating to strays taken up will increase and will shift from the individual justices of the peace to the offices of county judge executives. Requirements for contracting for veterinarian services and documentation and transfer of ownership will be more extensive, thus adding some additional costs to local government.

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:** 3/4/15