

**Local Mandate Fiscal Impact Estimate
Kentucky Legislative Research Commission
2016 Regular Session**

Part I: Measure Information

Bill Request #: 959

Bill #: HB 394

Bill Subject/Title: AN ACT relating to background checks for search and rescue personnel.

Sponsor: Representative Linder

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

Office(s) Impacted: Local Emergency Management Directors; Local Search and Rescue
Coordinators; local fire departments

Requirement: Mandatory Optional

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

Part II: Purpose and Mechanics

HB 394 would prohibit any sex offender, as defined in KRS 17.500 from becoming a paid or volunteer rescue squad member, and would require the Division of Emergency Management to establish regulations requiring local search and rescue coordinators to perform the following:

1. Query the website established under KRS 17.580 on each paid or volunteer rescue squad member, upon initial application and quarterly thereafter, and
2. Report to the state coordinator there are no sex offender registrants on the rescue squad.

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

HB 394 could have significant fiscal impact on local emergency management personnel.

The background checks would most likely be performed by local emergency management directors, as many of them serve as search and rescue coordinators (a voluntary position) for their counties. The number of background checks would largely

depend on the number of paid and volunteer squad members serving in a particular county, thus the number of background checks performed could be a large number in more populous counties, or if there is a significant increase in the number of paid or volunteer squad members. Conducting background checks would create additional responsibility for local emergency management directors who already have many different emergency roles and responsibilities. A representative from the Kentucky Emergency Management Association had concerns that the frequency of background checks would be too burdensome for local emergency directors to perform their already assigned duties. The representative also noted that many search and rescue coordinators do not have the computer resources or skill to perform background queries. Thus, due to the already assigned responsibilities of local emergency management personnel, the frequency of background queries having to be performed, and the lack of skill and resources to perform the background queries, HB 394 could have significant fiscal impact on local emergency management personnel.

HB 394 would have minimal impact on local fire departments and local firefighters.

Data Source(s): Kentucky Emergency Management Association; Kentucky Professional Firefighters Association

Preparer: Daniel Carter **Reviewer:** JWN **Date:** 2/19/16