

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

Part I: Measure Information

Bill Request #: 232

Bill #: SB 62

Bill Subject/Title: AN ACT relating to the lawful taking of wildlife.

Sponsor: Senator Robin L. Webb

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

Office(s) Impacted: Law Enforcement / Local Courts / Jails

Requirement: Mandatory Optional

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

Part II: Purpose and Mechanics

SB 62 defines “unmanned aircraft systems” as any aircraft that is operated without the possibility of direct intervention from within or on the aircraft. SB 62 expands unlawful tracking or the taking of wildlife to include utilization of unmanned aircraft systems. SB 62 further provides that the use of unmanned aircraft systems to conduct video surveillance of a person engaged in the lawful taking of wildlife constitutes “obstruction” as set forth in KRS 150.710(1).

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

The fiscal impact of SB 62 is expected to be minor, but as technology improves and the costs of owning an unmanned aircraft system becomes more affordable, a rise in this activity may occur.

The penalties for these violations are found in KRS 150.990 (6) and (14).

Those found guilty of operating an unmanned aircraft system for the tracking and taking of wildlife shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or imprisoned for not more than six (6) months, or both.

Those found guilty of obstruction by the use of an unmanned aircraft system to conduct video surveillance of a person engaged in the lawful taking of wildlife shall be guilty of a Class B misdemeanor upon the first conviction for a violation of KRS 150.710. A subsequent conviction shall be a Class A misdemeanor.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed in one of Kentucky's 78 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

Data Source(s): LRC Staff, Department of Corrections

Preparer: Wendell F. Butler **Reviewer:** JWN **Date:** 1/6/16