Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2017 Regular Session

Part I: Measure Information

Bill Request #: 1227						
Bill #: HB 235						
Bill Subject/Title: An ACT relating to citizenship and immigration status information and enforcement.						
Sponsor: Rep. Dan Johnson						
Unit of Government:	xCityxCountyxUrban-County Unified LocalxCharter CountyxConsolidated LocalxGovernment					
Office(s) Impacted:						
Requirement: <u>x</u> Mandatory Optional						
Effect on Powers & Duties:	x Modifies Existing Adds New Eliminates Existing					

Part II: Purpose and Mechanics

HB 235 amends KRS Chapter 65 to preclude the governing body of all cities and counties from enacting or implementing an ordinance, resolution, rule, or policy that prohibits or restricts another governing body, law enforcement officer, state or local official, or local government employee from taking the following actions regarding information of the citizenship or immigration status, lawful or unlawful of an individual:

- Communicating or cooperating with federal officials;
- Sending to or receiving information from the United States Department of Homeland Security; and
- Maintaining or exchanging information with another federal, state, or local government.

HB 235 prohibits a governing body from restricting enforcement of federal immigration laws to less than the full extent permitted by federal law. A violation allows a person lawfully domiciled in Kentucky to bring an action to compel the governing body to comply with the provisions of the bill. If a court finds that a governing body knowingly or intentionally violated the bill's provisions may enjoin the violation. Every law enforcement agency must provide each law enforcement officer with a written notice of his or her duty to cooperate with state and federal officials relating to the enforcement of state and federal laws governing immigration.

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

The fiscal impact of this bill will likely be minimal. Absent resistance, non-compliance or unforeseen economic impacts relating to the provisions of HB 235 there should be no appreciable fiscal impact. Some time and effort costs may be associated with bringing administrative procedures, ordinances, resolutions, rules or policies into compliance.

Data Source(s):	Kentucky Association of Counties; Kentucky Association of Chiefs of				
	Police; Kentucky Commonwealth Attorneys Association; Kentucky				
	County Attorneys Association; Kentucky Couny Judge Executive				
	Association; Kentucky League of Cities; Kentucky Magistrates and				
	Commissioners Association; Kentucky Sheriffs Association				
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Preparer:	H. Marks	Reviewer:	KHC	Date:	2/13/17
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