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

### **Part I: Measure Information**

Bill Request #: 301					
Bill #: HB 515 GA					
Bill Subject/Title: AN ACT relating to the Judicial Branch					
Sponsor: Representative David Meade					
Unit of Government: City X County Urban-County   Charter County Consolidated Local Government					
Office(s) Impacted: Sheriff's office in Lincoln, Pulaski, Rockcastle, Boone and Gallatin Counties					
Requirement: <u>x</u> Mandatory Optional					
Effect on Powers & Duties: <u>x</u> Modifies Existing <u>Adds New</u> Eliminates Existing					

### Part II: Purpose and Mechanics

The purpose of HB 515 is to increase from three to four the number of circuit judges and judicial divisions in the 28<sup>th</sup> and 54<sup>th</sup> Judicial Circuits. The 28<sup>th</sup> Judicial Circuit is comprised of Lincoln, Pulaski, and Rockcastle counties; the 54<sup>th</sup> Judicial Circuit is comprised of Boone and Gallatin counties. The Act would take effect July 1, 2018 contingent on appropriation for new Family Court Judgeships in the Judicial Branch Budget for 2018-2020.

### **III:** Fiscal Explanation, Bill Provisions, and Estimated Cost

# HB 515 would have a minimal to moderate fiscal impact on the sheriff's offices in the counties comprising the 28<sup>th</sup> and 54<sup>th</sup> Judicial Districts.

The local sheriff's office provides court security personnel (bailiffs) in each circuit courtroom. Increasing the number of circuit court judges and court divisions from 3 to 4 would result in additional, or longer, court proceedings. Sheriff's offices report they would likely need to hire at least one additional bailiff to cover these court proceedings. KRS 64.092 (6) provides that the Commonwealth shall compensate sheriffs or other law

enforcement personnel at \$8 an hour for providing services to a Circuit Court. The Sheriff's offices interviewed report they pay their bailiffs another \$1 to \$2 per hour, which comes out of the sheriff's office budget. Uniforms, footwear, firearms, gun belts also are paid from the sheriff's office budget, at a cost of approximately \$1500. The county fiscal court pays for the benefits for full-time bailiffs. Sheriff's offices also receive disbursements from the court costs distribution fund provided for in KRS 42.320(2)(i) to help defray the cost of providing security services to the court and related activities. That statute provides that 10.1% of each court cost deposited in the court costs distribution fund shall be paid to the county sheriff in the county where the court cost was paid. Disbursements from this fund would not increase under the bill because the number of court cases would not increase. The financial burden of hiring 1 to 2 additional court security personnel would fall heavier on small sheriffs' offices such as the one in Gallatin County, which currently employs 3 court bailiffs serving a population of approximately 8,474. Local governments also are obligated to pay some related costs. For example, fiscal courts are responsible for office space and records maintenance space for the county sheriff's office.

#### Data Sources: LRC staff, sheriff's offices

Preparer: Ma	ry Stephens	<b>Reviewer:</b>	KHC	Date:	2/28/17
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