Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 957					
Bill #: HB 216 HCS					
Document ID #: 5326					
Bill Subject/Title: An Act relating to procurement.					
Sponsor: Rep. Jason Petrie					
Unit of Government: x City x County x Urban-County Unified Local					
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government					
Office(s) Impacted: Local government bid selection committees					
Requirement: <u>x</u> Mandatory Optional					
Effect on Powers & Duties:x _ Modifies Existing Adds New Eliminates Existing					

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 216 HCS amends KRS 61.810 to include bid selection committees as exceptions to open meeting requirements. It amends KRS 61.878 to include information identifying members of selection committees and records of the procurement processes established under KRS Chapters 45A and 56 as exceptions to the open record requirements and amends KRS 56.8169 to clarify that KRS 61.810 (Exceptions to Open Meetings) and 61.878 (public records exempted from inspection) apply to the selection process for built-to-suit contracts.

The fiscal impact of HB 216 HCS is indeterminate and nil to minimal. There could be some indeterminate fiscal impact as a consequence of adding bid selection and award procedures and committees to those committees, meetings, and records identified in statute or the Kentucky Constitution to be held in secret or in privacy.

Part III: Differences to Local Government Mandate Statement from Prior Versions

HB 216 HCS changes the new language within Section 2 relating to what types of public records may be excluded from inspection. The new HCS language states it shall be the records of a procurement process is excluded until after the contract is awarded or the procurement process is cancelled and a determination is made that the contract will not be resolicited. The language in the bill as introduced stated that the public records that may be excluded until the contract is awarded or the procurement is cancelled under KRS 21 Chapter 45A or 56, would be the information identifying the members of a procurement or selection committee and the records of the procurement process.

With this change, it is determined that the fiscal impact of HB 216 HCS is the same as for HB 216.

Data Source(s):	Kentucky Association of Count	ies; Kentucky League o	f Cities		
Prenarer H Ma	arks Reviewer •	KHC	Date	2/23/18	