## Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

**Part I: Measure Information** 

Bill Request #: 1367
Bill #: HB 268
<b>Document ID #:</b> 3167
Bill Subject/Title: AN ACT relating to leave from employment for crime victims.
Sponsor: Representative Joni L. Jenkins
Unit of Government: x City x County x Urban-County Unified Local x Charter County x Consolidated Local x Government
Office(s) Impacted: all offices with employees; jails; law enforcement
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 268 would amend KRS 337.415 to prohibit an employer (including local governments) from taking adverse employment action against an employee who is a victim of a crime if that employee takes leave from work to attend court or other proceedings associated with the prosecution of the crime. In addition to the directly impacted crime victim, the bill would define "victim" to include immediate family of a minor or incompetent victim, and the immediate family of a homicide victim. The bill would require an employee give reasonable prior notice to an employer by providing a copy of the notice from the court or agency to the employee-victim scheduling a hearing, conference or meeting. An employer would be required to maintain confidentiality of any verbal communication, written document, or record from an employee relative to the employee's request for leave under KRS 337.415. Any person who failed to maintain confidentiality would be guilty of a Class B misdemeanor for the first offense and of a Class A misdemeanor for each subsequent offense.

Local governments would be responsible for incarcerating individuals charged with violating the provisions of HB 268. Individuals convicted of a Class B misdemeanor or a Class A misdemeanor can be incarcerated respectively for up to 90 days or one year in one of Kentucky's local jails. While the expense of housing inmates varies by jail, each additional inmate will increase facility costs by an estimated average of \$31.34 per day.

The number of cases constituting a crime under HB 268 would be expected to be small. Therefore, the **cost borne by local governments would be minimal**.

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

Part II pertains to the bill as introduced and there are no prior introduced versions of the bill.

**Data Source(s):** LRC staff; Kentucky Department of Corrections

**Preparer:** Mary Stephens **Reviewer:** KHC **Date:** 2/7/18