

From 2014 through 2017, KOHS awarded 339 grants totaling over \$2 million to local law enforcement agencies, including jails and detention centers. Nearly 60 percent of these grants were used to acquire body armor for officers.

The overall fiscal impact of this bill on local governments is likely to be significant. Local governments would struggle to replace the resources lost from KOHS to purchase the equipment necessary for peace officers to safely perform their duties.

One of the 26 grants awarded in 2016 provided the Livingston County Sheriffs’ Office \$9,310 to purchase 14 body armor vests. Another grant issued in 2016 was to the Ravenna Police Department in Estill County, which received \$3,755, and allowed them to purchase two sets of body armor, two Tasers, two service weapons and ammunition. The grants have been utilized to purchase additional equipment for law enforcement offices rather than reducing patrols and vehicle maintenance as a way to purchase those items. Prior to receiving the grants, some law enforcement offices have had to borrow from other law enforcement agencies or go without.

Grant Year	Grant Amount	Number of Grantees	Number of Agencies Requesting:			
			Body Armor	Tasers or Taser Related Equipment	Duty Weapons	Ammunition
2014	\$549,787	91	58	19	18	6
2015	\$420,964	73	65	13	7	3
2016	\$594,240	86	44	30	20	16
2017	\$451,733	89	32	8	13	8
Totals	\$2,016,724	339	199	70	58	33

During a trial court and before the lawful owner can have any confiscated firearms and ammunition returned, HB 411 will require the law enforcement agency to determine whether or not the lawful owner is eligible to possess a firearm under federal law. Current law requires that before forfeiture of any property under Section 1 of the Act, it shall be the duty of the trial court to determine if a lawful owner or claimant to the property has been identified or is identifiable. Additionally, it shall be the duty of all peace officers and other public officers or officials having knowledge of the lawful owner or claimant of property subject to forfeiture to report the same to the trial court before the act of forfeiture occurs.

KRS 95.435, currently states that property received by confiscation or court order shall be described and registered by the police department in a formal method. The police

department shall then advertise the property pursuant to KRS Chapter 424 for the information of the public as to the amount and disposition of the property. KRS 95.435 is amended in Section 4 to state that firearms shall be retained for official use or destroyed in compliance with Section 1 of this Act within 90 days of abandonment, confiscation, release of the weapon as evidence, or forfeiture by a court, whichever occurs later.

In addition to replacing funding lost from these grants, there are indeterminate factors related to personnel and administrative costs associated with destroying and disposing of firearms. While these indirect costs may be minimal, when combined with the loss of funding, the overall fiscal impact would be significant.

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

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s): Kentucky State Police, Kentucky Office of Homeland Security

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