

**COMMONWEALTH OF KENTUCKY STATE FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2018 REGULAR SESSION**

MEASURE

2018 BR NUMBER **1968**

HOUSE BILL NUMBER **417**

RESOLUTION NUMBER _____

AMENDMENT NUMBER _____

SUBJECT/TITLE **An ACT relating to the creation of an animal abuse registry and making an appropriation therefor.**

SPONSOR **Representative Morgan**

NOTE SUMMARY

FISCAL ANALYSIS: IMPACT NO IMPACT INDETERMINABLE IMPACT

LEVEL(S) OF IMPACT: STATE LOCAL FEDERAL

BUDGET UNIT(S) IMPACT: **Kentucky State Police**

FUND(S) IMPACT: GENERAL ROAD FEDERAL RESTRICTED AGENCY **Animal Abuse Offender Registry Fund** OTHER

FISCAL SUMMARY

FISCAL ESTIMATES	2017-2018	2018-2019	2019-2020	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES		Indeterminable	Indeterminable	Indeterminable
EXPENDITURES		Indeterminable	Indeterminable	Indeterminable
NET EFFECT		Indeterminable	Indeterminable	Indeterminable

() indicates a decrease/negative

MEASURE’S PURPOSE: This measure mandates the Kentucky State Police (KSP) to develop and operate an animal abuse offender registry, requires registrants to pay a registration fee that is subsequently deposited into an animal abuse offender registry fund administered by KSP, and provides Class A misdemeanor penalties as punishment for violating registration requirements.

PROVISIONS/MECHANICS: Section 1 creates a new section of KRS Chapter 17 to define new terms, require the KSP to develop and operate an animal abuse offender registry, mandate the KSP to establish a website containing offender information and to provide this information to each county sheriff and local school district superintendent, creates a registration process, establishes a fee, and creates Class A misdemeanor penalties for violating registration requirements.

Section 2 creates a new Section of KRS Chapter 17 to establish an agency restricted funds account, to be administered by the KSP, and used to develop and operate the animal abuse

offender registry. It provides that moneys in the fund shall not lapse but be carried forward to the next fiscal year.

FISCAL EXPLANATION: The impact of this legislation is indeterminable as it is unknown whether the \$100 fee will generate necessary funding for the KSP to operate and develop an animal abuse registry. Specifically, there are two major challenges in providing an estimated impact of this legislation:

1. The number of offenders applicable to the provisions of HB 417 is unknown, and
2. The ability of this population of offenders to pay the registration fee is unknown.

HB 417 mandates animal abusers to pay a \$100 registration fee upon conviction unless they are determined to be indigent by the courts. However, all offenders must register regardless of their ability to pay the registration fee. Court case data provided by AOC indicates there were an average of 430 cases annually for fiscal years 2015 through 2017 for violations of KRS 525.130 and 525.135. Data for violations of KRS 525.125, 525.200, and 525.205 is currently unavailable. If 430 cases represent individual offenders, and we assume that none of these offenders are determined to be indigent by the courts, then KSP would initially receive \$43,000.

Offenders are required to register annually for five years. Assuming 430 new offenders are realized in the second year of this bill's implementation, revenues would compound and could generate up to \$86,000. This estimate makes the same assumptions used to estimate revenues in the first year. In year six the 430 offenders who registered in year one will no longer be required to register and pay the annual fee, and an additional 430 offenders would begin their first year of registration, meaning total revenues would plateau at \$215,000. Below is a chart that displays potential revenues over a six-year period.

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Registrants	430	860	1,290	1,720	2,150	2,150
Revenue	\$43,000	\$86,000	\$129,000	\$172,000	\$215,000	\$215,000

It is unknown as to whether \$215,000 will be sufficient for KSP to develop and operate an animal abuse registry. Ultimately, costs are contingent upon any additional personnel KSP may need to develop and operate the registry, software purchases, service contracts, etc. Therefore, there is a potential for KSP to incur unfunded expenditures relating to the operation and development of an animal abuse offender registry.

DATA SOURCE(S): LRC Staff and Administrative Office of the Courts

PREPARER: Zach Ireland and Savannah Wiley **NOTE NUMBER:** 123 **REVIEW:** JAB **DATE:** 2/26/2018