Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1777
Bill #: HB 437 GA
Document ID #: 5267
Bill Subject/Title: AN ACT realting to the sale or dispostion of certain county property.
Sponsor: Representative Ken Upchurch
Unit of Government: City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Sheriff
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

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

The fiscal impact of HB 437 on local governments is expected to be minimal. The benefit is procedural.

Currently, when an asset is seized by a sheriff's office and later forfeited, and the sheriff office needs the proceeds from the sale of the asset more so than the asset itself, the asset must be declared surplus property in order to be sold. By current statute surplus property proceeds must be deposited in the general fund of the fiscal court and the sheriff must ask for the money back. HB 437 eliminates the transfer of these proceeds to the GF and allows the sheriff to keep the proceeds.

This proposal was initiated and is backed by the Kentucky Sheriff's Association and the Auditor of Public Accounts.

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

The GA version to this bill does not have any changes from the bill as introduced. There were no committee substitutes or floor amendments adopted.

Data Source(s): LRC Staff; Kentucky Sheriff's Association

Preparer: Wendell F. Butler **Reviewer:** KHC **Date:** 3/12/18