

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

MEASURE

2018 BR NUMBER **0098**

HOUSE BILL NUMBER **96 HCS1**

RESOLUTION NUMBER _____

AMENDMENT NUMBER _____

SUBJECT/TITLE **An ACT relating to the investigation of fire related crimes.**

SPONSOR **Representative Hart**

NOTE SUMMARY

FISCAL ANALYSIS: IMPACT NO IMPACT INDETERMINABLE IMPACT

LEVEL(S) OF IMPACT: STATE LOCAL FEDERAL

BUDGET UNIT(S) IMPACT: **Department of Criminal Justice Training and Department of Housing, Buildings, and Construction**

FUND(S) IMPACT: GENERAL ROAD FEDERAL RESTRICTED AGENCY KLEFPE OTHER

FISCAL SUMMARY

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

() indicates a decrease/negative

MEASURE'S PURPOSE: The purpose of this legislation is to create a special class of certifiable, peace officer personnel, termed, "fire investigator" and establish minimum qualifications, mandatory basic and in-service training standards for their specially geared role in fire-related crimes, as provided for in KRS Chapter 513, and any other associated crimes discovered in the course of their investigations.

PROVISIONS/MECHANICS: Sections 1, 3 through 5, 8 through 10, and 12 amend various statutes to define fire investigators as well as, establish various qualifications and require certification from the Kentucky Law Enforcement Council (KLEC). Additional amendments are made to make fire investigators ineligible for inclusion in Kentucky Law Enforcement Foundation Program Fund (KLEFPF) and allow the state fire marshal to appoint deputy fire marshals to be fire investigators.

Section 2 amends KRS 15.340 to mandate the Department of Criminal Justice Training (DOCJT) provide training to fire investigators.

Sections 6 and 7 create new Sections of KRS Chapter 95A to incorporate the fire investigator personnel class within the chapter as well as, provide the chief of a fire department appointment powers for fire investigators, establish training requirements, address payment of training, peace officer powers, jurisdiction, and appointment requirements.

Section 11 creates a new Section of KRS 227.200 to 227.400 to make provisions for deputy fire marshals appointed to be fire investigators as well as, establish training requirements, address payment of training, peace officer powers, and appointment requirements.

Section 13 establishes an effective date for this legislation to be January 1, 2019.

FISCAL EXPLANATION: Although this legislation impacts various levels of government and state agencies, the impact is indeterminable with additional expenditures for employing agencies or jurisdictions that appoint fire investigators.

Department of Criminal Justice Training (DOCJT)

DOCJT has indicated that there will be no fiscal impact in relation to training fire investigators. The employing agency or jurisdiction that is appointing an individual as a fire investigator will be responsible for reimbursing DOCJT for the required training. DOCJT has indicated that basic training costs, per individual, is in excess of \$15,000 and that in-service courses will be certified by KLEC and performed by fire personnel, not DOCJT.

Department of Housing, Buildings, and Construction

HB 96/HCS1 would give the state fire marshal the authority to appoint deputy fire marshals to be fire investigators. The Department of Housing, Buildings, and Construction would be financially responsible for the required trainings and in-service trainings for certification by KLEC. The state currently has 16 deputy fire marshals that would be eligible for appointment to be a fire investigator. The number of deputy fire marshals that would be appointed to be fire investigators is indeterminable, therefore the total costs of the required trainings on the Department of Housing, Buildings, and Construction is also indeterminable.

Kentucky Fire Commission

Kentucky Community and Technical College System (KCTCS) has indicated no fiscal impact for the Kentucky Fire Commission. The appointment of a fire investigator would come from fire departments' arson divisions and the associated training costs would be paid by the employing agencies and jurisdictions to DOCJT.

Any potential future impact is contingent on the number of fire investigator appointments and the training necessary to certify them for the position.

DATA SOURCE(S): Department of Criminal Justice Training, Kentucky State Police, KCTCS, LRC Staff

PREPARER: Savannah Wiley, Zach Ireland, and Nick Peak **NOTE NUMBER:** 96 **REVIEW:** JAB
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