

orientation or gender identity is in fact prohibited under Title VII and Title VIII as discrimination based on sex. With the passage of SB 190, the commission does not expect a significant increase or impact on existing caseloads as these complaints are currently being addressed.

Any local government engaged in the identified commercial or related activities in SB 190 (e.g. rental properties) would have to conform. Some local governments would be required to adopt conforming local ordinances. The bill would impact local governments that have adopted ordinances, orders, resolutions prohibiting discrimination, and 24 communities with local human rights commissions.

SB 190 would also require local governments with civil rights ordinances to amend any local civil rights laws to incorporate the language prescribed in SB 190. Costs would include the time and expense of repealing or revising an existing ordinance, advertising the revision in a local newspaper, placing the revision on the business docket for necessary action, and printing a revised list of ordinances. Municipalities revise their ordinances, at least every five years by state law, to eliminate “redundant, obsolete, inconsistent, and invalid provisions.” The cost of this mandate would be less if the repeal or revision were done in conjunction with this periodic updating of ordinances.

Additionally, local human rights commissions would retain a role in implementing the application of civil rights law as amended by SB 190. Therefore, their rules and policies would have to be rewritten to conform to the provisions of SB 190.

The fiscal impact of SB 190 on local government is indeterminable but not expected to 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): LRC staff, Kentucky Commission on Human Rights, Kentucky League of Cities, Kentucky Municipal Statutory Law, LRC IBN. No. 145

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