Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 1838
Bill #: HB 411 HCS
Document ID #: 5217
Bill Subject/Title: AN ACT relating to assistance animals.
Sponsor: Representative Adam Koenig
Unit of Government: x City x County x Urban-County Unified Local
x Charter County x Consolidated Local x Government
Office(s) Impacted: Local law enforcement
Requirement: Mandatory Optional
Effect on Powers & Duties: x Modifies Existing Adds New Eliminates Existing

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

HB 411 HCS amends KRS 383.085, relating to reasonable accommodations for assistance animals in housing, to specify with whom a person with a disability can be in a therapeutic relationship, and adds instances that qualify as prohibited acts of misrepresentation of disability and need for an assistance animal (related to housing). The Act provides that a lessor may recover a fee (not to exceed \$1,000) for making a false claim of a disability or the misrepresentation of an assistance animal by a lessee.

The fiscal impact of HB 411 HCS is indeterminate and minimal. Effectively, the bill creates a lease violation which will require local law enforcement procedures relating to eviction, citation, and damage fees.

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

HB 411 HCS makes changes to the specifications relating to with whom a person with a disability can be in a therapeutic relationship, and adds language that permits a lessor to

evict and collect a damage fee up to \$1,000 "if a person is found to have knowingly made a false claim of having a disability that requires the use of an assistance animal or of knowingly providing fraudulent supporting documentation in connection with such a claim ..."

HB 411 HCS makes no changes to the fiscal impact of HB 411 as introduced.

Data Source(s):Kentucky Sheriffs Association; Kentucky Association of Chiefs of PolicePreparer:H. MarksReviewer:KHCDate:2/27/19