

Attorney General for civil action. Non-compliant agencies shall be liable to the state for the full value of all property and money seized.

Impacts of HB 430 on local law enforcement agencies and local governments is as follows:

If local law enforcement fails to submit the asset seizure forms, the agency and respective local government would be subject to legal action and all the costs associated with those actions as well as lost proceeds from the sale of property. Law enforcement agencies retain 85 percent of sale proceeds for use in law enforcement activities.

This proposal also amends KRS 15.440 to require compliance of local law enforcement agencies with asset seizure reporting in order to maintain eligibility for the Law Enforcement Foundation Program Fund (LEFP).

The potential of not being eligible for LEFP funds could have a substantial impact on non-compliant law enforcement agencies.

The fiscal impact is indeterminable. The frequency of failing to comply is expected to be low to none, however, for those agencies who do not comply, the financial impact of lost resources, including LEFP, and incurred legal costs could be high.

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

Preparer: Mark Offerman **Reviewer:** KHC **Date:** 2/25/19