



require deputy constables to execute bond. It amends KRS 70.320 to allow the appointment of deputy constables and specifies how they are appointed and their numbers determined, and their qualifications.

The Act amends KRS 70.350 to specify where constables may execute warrants and amends KRS 70.410 to include deputy constables. It amends KRS 70.430 to specify the nature and recipient of constable and deputy constable's reports. It **grants fiscal courts or county clerks and merged governments the authority to retain 25% of fees collected** and amends KRS 70.440 to include mandated reports within false reporting prohibitions.

HB 384 amends KRS 148.056 and 164.955 to remove constables, and amends KRS 164.955 to specify that powers of constables are not being diluted or removed, and amends KRS 183.881 to specify that constable powers are not impaired or diminished. It amends KRS 189.950 to permit vehicle blue lights for constables if the county grants them the authority and if they are certified as peace officers.

The Act amends KRS 230.240 and 281.765 to remove constables, and amends KRS 281.765 to remove constables and deputies. It amends KRS 446.010 to remove constables from definition of "peace officers" and amends KRS 454.140 to direct service of process first to sheriffs and **excludes urban-county and consolidated local governments from this requirement**, unless they pass ordinances granting the sheriff priority.

**The fiscal impact of HB 384 is indeterminate and minimal.** Sheriff's departments already serve the majority of court papers. HB 384 would likely minimally increase revenue for some sheriff's departments. Typically, municipal agencies have not been involved with serving civil process papers.

Fiscal courts and county clerks will receive some benefit from provisions of the Act that grant fiscal courts or county clerks and merged governments the authority to retain 25% of fees collected by constables.

According to the Kentucky League of Cities there should be little fiscal impact. Louisville and Lexington could receive a portion of the fees that constables collect if they choose, but that would be a minimal positive financial impact if they did. It would also be less likely for city police to deal with untrained and uncertified constables attempting to enforce laws, which could lead to slightly lower costs and more efficient policing efforts.

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

Part II, above, pertains to the bill as introduced.

**Data Source(s):** Kentucky Constables Association; Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police; Kentucky Association of Counties; Kentucky League of Cities

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