## Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

## **Part I: Measure Information**

Bill Request #: 2015
Bill #: SB 206
<b>Document ID #:</b>
Bill Subject/Title: AN ACT relating to planning commissions.
Sponsor: Senator Christian E. McDaniel
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Planning and Zoning
Requirement: X 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

Before any planning operations may begin, a planning unit must be formed and designated. Planning units may consist of a city or county, acting independently; cities and their county acting, jointly; or adjacent groups of counties and their cities, regionally, in accordance with KRS 100.123.

SB 206 amends KRS 100.123, increasing the required number of members of a regional planning unit from 2 to 3.

All agreements for regional planning units shall be in writing and shall describe the boundaries of the area involved. It must contain all details which are necessary for the establishment and administration of the planning unit. The agreement shall be adopted as an ordinance by the legislative bodies which are parties to the agreement and shall be filed in the office of the county clerk, who may charge a recording fee. Combined planning operations shall be jointly financed, and the agreement shall state the method of proration of financial support.

Regional planning commissions may be created to reduce costs, share expenses and to utilize staff expertise another member may not have or be able to afford. It is likely that by adding a third member, the additional benefits of economies of scale may be realized by all members including additional services and cost savings.

Local governments that choose to create a regional planning commission must enact an ordinance to do so. Each participating local government will incur costs associated with the drafting, publication, indexing and recording of adopted ordinances, and at least every five years, review and eliminate redundant, obsolete, inconsistent, and invalid provisions.

For local governments, it is expected that any financial impact would be minimal to none, with the only costs being related to enacting an ordinance. According to Kentucky League of Cities, most cities, especially the smaller ones, retain their city attorney on contract and pay on an hourly basis. Time spent drafting an ordinance is influenced by its complexity and the amount of research that is necessary. In FY 2019, the median hourly rate was approximately \$100. Rates for legal notices vary greatly depending on the length of the publication, the number of times it needs to be published and the newspaper in which the publication is placed. Therefore, these costs are unknown.

The fiscal impact of this legislation is indeterminable, but expected to be positive.

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

The Part II section above pertains to the bill as introduced.

**Data Source(s):** <u>LRC Staff</u>

**Preparer:** Mark Offerman **Reviewer:** KHC **Date:** 2/27/20