Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

Bill Request #: 1363						
Bill #: SB 229						
Document ID #: <u>5874</u>						
Bill Subject/Title: AN ACT relating to constables.						
Sponsor: Senator Phillip Wheeler						
Unit of Government: City County Urban-County Unified Local						
Charter County Consolidated Local Government						
Office(s) Impacted: constables						
Requirement: Mandatory X Optional						
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing						

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

SB 229 generally imposes no fiscal mandate on local governments. Under current law there are no training or certification requirements to serve as constable and SB 229 would not change that. SB 229 would establish a new status of "certified constable." A certified constable would be an elected or appointed constable or deputy constable who has completed 40 hours of in-service course time each 12 month period he or she is in office, and has received a certificate from the Kentucky Constables Association, Inc. (the Association). The bill requires that constables and deputy constables seeking certification to pay all costs of the courses unless state or local funds are made available.

Section 3 of the bill would direct the Association, which is not government funded or affiliated, to develop and maintain in-service education courses to be offered throughout the year and throughout the state. The county attorney would be responsible for posting notice of training in the county courthouse. The Association would be notified by the county board of elections or the county clerk following election or appointment of a constable.

Section 4 would authorize a city or county, at its discretion and by ordinance, to direct certified constables' and certified deputy constables' vehicles be equipped with emergency lights; if those vehicles are used as emergency vehicles. Section 4 would *require* they be so equipped. The bill does not address who would be responsible for paying for the lights and their installation.

SB 229 would have no or almost no fiscal impact on local governments or on constables. According to the Association, it currently provides training to its members though such training is not statutorily required. The training is paid for by dues of Association members and there is no additional charge for training.

SB 229 does not require that constables be trained or that they be certified. The bill imposes no mandate on local governments or on constables that would increase costs or revenue. The cost of required notification to the Association by the county board of elections or county clerk would be negligible, if any. The cost of posting constable training opportunities by the county attorney also would be none, or negligible.

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

Part II pertains to the bill as introduced.

Data Source(s):	Kentucky Cons	stables Association	on, Inc.; LRC Staff			
Preparer: Mar	y Stephens	Reviewer:	KHC	Date:	3/9/20	