

HB 152 provides that the \$10 fee related to the permanent storage of the documents shall be accounted for separately and exempted from being paid to the fiscal court or the Finance and Administration Cabinet and may be accumulated by the county clerk for the duration of the clerk's term. At the end of the term, the funds shall be transferred to the fiscal court, unless the clerk vacates office at which time the funds will be transferred to the clerk's successor.

The fiscal impact of HB 152 on local governments is expected to be minimal and will depend on the county and the number of documents each Clerk's office processes.

The Kentucky County Clerks Association was contacted for input. The Association stated that going to a base price with no additional cost for additional pages for wills, appointments, and court-ordered name changes, will streamline the process, reduce the amount of money charged, and as a result assist the court system in obtaining the fees from the customers. Additionally, expanding the base fee for certified copies from three pages to five pages will result in a lower fee for customers.

The Kentucky County Clerks Association also noted that if HB 151 and HB 152 from the 2021 Regular Session both pass, then the document storage fee exception, within HB 152, will assist county clerks with fulfilling requirements of HB 151.

State aggregate numbers regarding the number of documents affected by HB 152 are not readily available. However, approximate numbers for Hardin County for 2020 are provided for informational purposes;

- Affidavits of severance: 2 documents, base fee increase from \$16 to \$33.
- Statement of Authority: Zero documents processed for the year 2020
- Will or other Probate Document: 257 @ no change in base fee
- Appointment: 47 @ no change in base fee
- Court-ordered name change: 65 @ no change in base fee
- Certified copy of any record: 700 @ no change in base fee

Total annual impact for Hardin County is minimal. The only change would be the amount previously charged for additional pages for the above-listed documents.

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

Part II refers to HB 152 as introduced.

Data Source(s): LRC Staff; Kentucky County Clerks Association

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