Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 1399		
Bill #: HB 566		
Document ID #: <u>5322</u>		
Bill Subject/Title: AN ACT relating to local reapportionment and declaring an emergence	у	
ponsor: Representative Michael Meredith		
Jnit of Government: City X County X Urban-Coun Unified Loca	-	
X Charter County X Consolidated Local X Government		
Office(s) Impacted: Fiscal Courts		
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

HB 566 amends KRS 67.045 to change the date for which fiscal courts must initiate reapportionment proceedings from May of the first year following the decennial census of the United States to May of the second year following the census.

HB 566 declares that an emergency exists and this Act shall take effect upon its passage and approval of the Governor or upon it otherwise becoming law.

The fiscal impact of this legislation is expected to be minimal.

Within 60 days from initiating reapportionment, a written report shall be submitted to the fiscal court that shows the revised boundaries of districts and the estimated population of each. No later than 60 days after the report is filed, the fiscal court must adopt or amend the report and subsequently enact a county ordinance establishing the new district boundaries. The county board of elections may need to redraw precinct lines, as provided

in KRS 117.055. No precinct may be in more than one justice's or commissioner's district. Similarly, fiscal court districts cannot overlap legislative districts.

The release of the 2020 decennial data has been delayed to September 2021. Legislative reapportionment and redistricting is expected to occur in early 2022. Delaying the reapportionment proceedings allows fiscal courts to ensure that they will not have to redo the reapportionment and redistricting in the event any redrawn state legislative districts overlap fiscal court districts.

Costs to county government are related to enacting ordinances and staff time.

Local governments that create ordinances 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.

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 2020, the average hourly rate was \$107. 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.

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

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

Data Source(s):	Kentucky Association of Counties, Kentucky League of Cities, Kentucky
	Magistrates and Commissions Association, LRC Staff, LRC Informational
	Bulletin No. 115 Revised September 2020