

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2021 Regular Session**

Part I: Measure Information

Bill Request #: 1256

Bill #: SB 172 GA

Document ID #: 6293

Bill Subject/Title: AN ACT relating to underground facility protection.

Sponsor: Senator Jason Howell

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: County and municipal utilities

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

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

The fiscal effect of SB 172 GA is indeterminate and nil to minimal. Some time and effort costs may result from the requirement that, regardless of the excavator or purpose of excavation, if an underground facility is damaged then the excavation must immediately stop and authorities must be notified. Senate Bill 172 GA should have little financial impact on cities. It may lead more individuals to request markings, even when not required to do so. That could lead to city utility personnel making more runs to mark land. Also, they might be notified more quickly if one of the entities or individuals outlined in Section 2 damages a city-owned underground facility

For each excavator **“or entity or individual that is otherwise exempt from the requirements of KRS 367.4901 to 367.4917”** SB 172 GA amends KRS 367.4911 to **include the exempted activities** (as listed in KRS 367.4905 to 367.4917, and in Section 2 of this Act) in the required process of **ceasing operations when damage occurs to an underground facility, and notification of appropriate authorities.**

The Kentucky Municipal utilities Association sees no additional costs or concerns for city utilities from this bill. In effect, the Act only clarifies that any (and all) excavation operations that damage an underground facility must stop excavation and notify “all affected operators of the location”.

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

Part II, above, pertains to the GA version. The GA version is the same as the bill as introduced. No amendments or substitutes were adopted when the bill passed its chamber of origin.

Data Source(s): Kentucky Municipal Utilities Association; Kentucky League of Cities

Preparer: H. Marks **Reviewer:** KHC **Date:** 3/9/21