

SB 48 GA would have a minimal to moderate fiscal impact on local governments. Potential costs to local governments would involve redaction of the personally identifiable information from records subject to Open Records requests, training of employees, and maintenance and follow-up of notifications for three years.

Redaction of information from print, video, or audio records could be accomplished manually by a public agency employee. Alternatively, agencies may purchase computer programs to assist with redaction documents or video or audio recordings. The total costs would depend on the number of related Open Records requests received and the length of any video or audio recordings. There is no statutory authorization that would allow a public agency to pass along those costs to a person requesting records for noncommercial purposes under the Open Records Act.

An employees' costs could range from \$10 to \$20+ per hour to redact information. Cities typically spend about 5 hours of personnel time responding to, on average, 30 open records requests each year. Assuming an average hourly pay rate of \$22 for employee time and approximately one hour of additional work to redact the information, the bill would increase personnel costs from \$650 to \$1,000 per year, depending on any applicable overtime and not including Social Security contributions and other benefits. Cities can only recoup additional costs if the request is for commercial purposes. Noncommercial requests only pay the copying fee allowed by statute.

Additional training would be required for city and county employees. Fifty-seven percent of cities employee over 4,800 police officers, which would be the primary employee classification of "public officer" that would affect cities.

Computer software may be purchased to assist with redaction of information from documents and video or audio recordings. According to Caseguard, a company that supplies redacting software to, among others, local and state governments, a software allowing redacting of documents and video or audio recordings could be purchased at a cost of \$249 per month to \$320 per month. This would allow a single person in an agency or office to redact information. If multiple people or offices wished to use the license at the same time, then additional licenses would be required for each additional person. Redaction software for video/audio only would be \$199 per license per month; redaction software for documents only would be \$99 per license per month.

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): LRC staff; Kentucky League of Cities; Caseguard, <https://caseguard.com/redaction-pricing/>; City of Spokane Body Camera Video Redaction Cost Study, December 2019;

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 3/12/21