Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

Part I: Measure Information

Bill Request #: 132	2
Bill #: HB 212 SCS	3 1
Document ID #: 45	07
· ·	AN ACT relating to county reapportionment and declaring an emergency.
Sponsor: Representative Michael Meredith	
Unit of Government:	City X_ County X_ Urban-County Unified Local
	X Charter County X Consolidated Local X Government
Office(s) Impacted:	Fiscal courts
Requirement: X	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

Notwithstanding the provisions of KRS 67.045, 117.055(3), and 2021 Ky. Acts ch. 152, sec. 4, HB 212 SCS 1 would change the date when fiscal courts must initiate reapportionment proceedings from May of the second year following the decennial census of the United States to May of the third year following the 2020 decennial census.

HB 212 SCS 1 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 census data was 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 the implementing ordinances and staff time.

County governments that create ordinances will incur costs associated with the drafting, publication, indexing and recording of ordinances to adopt re-drawn districts. According to the Kentucky League of Cities, 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 for a city attorney was \$107. There is no data available regarding costs to counties to adopting ordinances. 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 HB 212 SCS 1 as drafted. The fiscal impact of SCS 1 is unchanged from the bill as introduced and passed by the House. The only change in the Senate Committee Substitute to HB 212 as passed by the House is to include reference to KRS 117.055(3) in Section 1 of the bill.

Data Source(s): Kentucky Association of Counties, Kentucky League of Cities, Kentucky

Magistrates and Commissions Association, LRC Staff, LRC Informational

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Preparer: Mary Stephens **Reviewer:** KHC **Date:** 2/9/22