

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2022 Regular Session**

Part I: Measure Information

Bill Request #: 1357

Bill #: HB 236

Document ID #: 2496

Bill Subject/Title: AN ACT relating to hate crimes.

Sponsor: Representative Nima Kulkarni

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

Office(s) Impacted: Law Enforcement, Local Jails

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

Section 1:

Defines “hate crime” to mean bias-related crime, victimization, or intimidation that is a result of or reasonably related to race, color, ethnicity, national origin, religion, mental or physical disability, gender identity or expression, or sexual orientation.

Section 2:

Adds to the requirements for sharing in funds from the Law Enforcement Foundation Program fund to include having a written policy and procedures manual related to hate crimes that includes:

- Submission of hate crimes through the Federal Bureau of Investigation’s Uniform Crime Reporting Program;
- a standardized system of collecting, analyzing, and reporting hate crimes;
- establishment of a hate crimes unit; and

- community-related functions related to hate crime prevention and education including establishing a liaison with community-based organizations or leaders and conducting public meetings or educational forums regarding hate crimes.

The fiscal impact of HB 236 on local governments is indeterminable.

Hate crimes come into play at the point of sentencing. There are not separate Uniform Crime Reporting Codes differentiating hate crimes from any other offenses. An original case record would contain information about whether any given conviction's sentence is enhanced due to being a hate crime, but unfortunately, this data is not entered into the Administrative Offices of the Court case management system except perhaps as a memo, and therefore is not captured for statistical reporting.

In regards to developing a written policy and procedures manual for hate crimes, there will be cost associated with writing and dispersing the manual, and in the possibility a policy has not been formulated and funding is lost from the Law Enforcement Foundation Program, that money will have to be made up by the local government.

Assuming the manual will entail training, local law enforcement agencies may have cost associated with the required training. This expense is indeterminable since we don't know how each agency will elect to educate their force.

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

Part II refers to HB 236 as introduced. There are no prior versions of this bill.

Data Source(s): LRC Staff

Preparer: Wendell F. Butler (ms) **Reviewer:** KHC **Date:** 1/11/22