Local Government Mandate Statement
Kentucky Legislative Research Commission
2023 Regular Session

Part I: Measure Information

Bill Request #: 4

Bill #: HB 167 GA

Document ID #: 4364

Bill Subject/Title: AN ACT relating to veterinarian licensing and making an appropriation therefor.

Sponsor: Representative Matthew Koch

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

Office(s) Impacted: Animal shelters, jails

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

Relevant to this local mandate, HB 167 GA **Section 1** would amend KRS 321.175 to establish the Kentucky Veterinary Medicine Practice Act to "occupy" the entire field of veterinary medicine in Kentucky. The Act would regulate and control veterinary medicine, veterinary technology, animal euthanasia and allied animal health professionals and the operation of veterinary facilities, AAHP ("Allied animal health professional facility") facilities, and board-certified animal control agencies, i.e., animal shelters. **Section 4** would create a new section of KRS Chapter 321 requiring that veterinarians or allied health professionals maintain records and that those records be kept confidential, but open to inspection by the board. **Section 13** would amend KRS 321.193 to establish that an applicant for licensure as a veterinarian is required to have a doctorate in veterinary medicine or the equivalent from a board-approved veterinary medical program. **Section 17** would require an animal control agency that euthanizes animals employ a certified animal euthanasia specialist who may euthanize only animals owned by the animal control agency. **Section 21** would expand the duties of the Kentucky Board of Veterinary Examiners, for

example, to set the qualifications for licensure, certification, permitting, and registration, to establish fees required by Chapter 321, and to establish a code of conduct governing the practice of veterinary medicine. The board would have authority to issue notices of violation to any person for violation of Chapter 321. The board would maintain jurisdiction over persons, premises, and registered facilities relative to acts, omissions, complaints, grievances, and investigations occurring during their registration period regardless whether registration has expired.

Section 31 would amend KRS 321.990 to establish that a person who violates or aids in violation of Section 8, 12, 15, 17, 28 or 29 for performing services without a required credential would be guilty of a misdemeanor and subject to incarceration for 10 to 90 days. Other subsections would impose sentences of incarceration from 10 to 90 days for additional identified misdemeanor violations of KRS Chapter 321.

The fiscal impact of HB 167 GA on local government animal shelters is indeterminable. The fiscal impact on local jails would be minimal.

It is unknown whether animal control agencies, typically owned and operated by a city or county, currently employ certified animal euthanasia specialists or, if they do, how much they pay them. If they don't currently employ such a specialist then salary and benefits for the specialist would likely be a significant expense for an animal shelter.

It also is not known how many people would violate the new provisions of KRS Chapter 321 nor how many of those violators would be charged, found guilty, and sentenced to a term of incarceration. However, each person incarcerated represents an additional expense to a local jail. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact is based on an average cost to incarcerate of $40.11 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of $40.11 per day.

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

Part II above applies to the GA version of HB 167. This version does not differ from the HB 167 HCS 1 was adopted.

HCS 1 to HB 167 retained the original provisions of the bill as introduced; included AAHP managers in various lists of veterinary professionals; excluded accredited zoos and aquariums from the definition of a veterinary facility; allowed for graduates of an approved foreign equivalency program to apply for veterinarian licensure; and made technical collection. None of the changes made in the HCS 1 affected the findings of the original analysis of the fiscal impact this legislation would have on local governments. .

Data Source(s): Department of Corrections; LRC staff

Preparer: CTH (MS) **Reviewer:** KHC **Date:** 2/22/23