Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 393						
Bill #: HB 212						
Document ID #: 2281						
Bill Subject/Title: AN ACT relating to harboring a vicious dog and making an appropriation therefor.						
Sponsor: Representative Chad Aull						
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government						
Office(s) Impacted: law enforcement; animal shelters						
Requirement: x Mandatory Optional						
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing						

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

HB 212 creates a new section of KRS Chapter 258 to establish a hearing for the removal and banning of dog ownership or possession in cases where a person incompetent to stand trial is charged with harboring a vicious dog; amends KRS 258.990 to create a penalty for subsequent offenses of harboring a vicious dog after an ownership ban; amends KRS 258.119 and 258.235 to conform.

The fiscal impact of HB 212 on local governments in indeterminable, but expected to have minimal administrative costs and the potential for additional grant revenue through the Animal Control Advisory Board.

Under the provisions of HB 212, a person with three violations of harboring a vicious dog in any 5-year period shall be prohibited from owning or possessing a dog for 5 years, be fined \$250 per dog possessed, and surrender all dogs to the animal control office or appropriate law enforcement agency. Moneys from fines are deposited in the Animal

Control and Care Fund and managed by the Animal Control Advisory Board. The board may use these dollars to distribute annual grants to counties with established animal control and care programs. These grants and their amount are contingent on the availability of funds and recommendations made by the board.

HB 212 requires animal control officers and peace officers who impound or kill a vicious dog to make a written record of the incident and keep the record for no less than 5 years. While this provision will add to law enforcement officer's administrative duties, its cost is expected to be minimal.

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

The analysis presented above in part II is for HB 212 as introduced. No previous versions exist for comparison.

Data Source(s):	: <u>LRC staff</u>				
Preparer: CT	H (WB)	Reviewer:	KHC	Date:	2/22/23