



- The death results from the person's operation of a motor vehicle, including but not limited to boats and airplanes, under the influence of alcohol, a controlled substance, or other substance which impairs driving ability as described in KRS 189.010.

This Act may be cited as Lily's Law. This Act includes an emergency clause, and would take effect upon passage and approval by the governor or upon its otherwise becoming law.

**The fiscal impact on local governments is expected to be minimal.** Standard operating procedures for the administration of breath tests discussed in **Section 1** are not expected to financially affect local law enforcement agencies. Additional holding time requirements in **Section 2** may create some additional costs to jails, however this is expected to be minimal. **Section 3** creates a new section of KRS Chapter 507 which creates a new crime of vehicular homicide, a Class B felony. Class B felony convictions are housed in state prisons and ineligible to serve any portion of their sentence in a local jail. Therefore, there will be no impact to local governments for this new crime.

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

Part II refers to HB 262 GA 1. HB 262 GA 1 makes the following changes to HB 262 HCS 1:

- Removes language from Section 2 restricting applicable holding requirements to only those offenses found in KRS 189A.010(1)(a), (b), or (f). Holding requirements will be applied to all offenses found in KRS 189A.010. Additionally, language requiring offenders to be held for six hours or until a breath analysis tests shows an alcohol concentration of .000 percent has been amended to exclude the breath test qualification.
- Amends the Bill Subject/Title to indicate that an emergency is being declared

Part II refers to HB 262 HCS 1. HB 262 HCS 1 makes the following changes to HB 262 as introduced:

- Removes language from Section 2 restricting applicable holding requirements to those whose blood alcohol content is .15 percent or higher.
- Extends the amount of time in which a person arrested for driving under the influence of alcohol is required to be held before release.
- Creates a new Class B felony deaths resulting from a person driving under the influence.

**Data Source(s):** LRC Staff

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