Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 250									
Bill #: SB 17									
Document ID #: 1165									
Bill Subject/Title: AN ACT related to open records training.									
Sponsor: Senator Adrienne Southworth									
Unit of Government: X City X County Multiple Multiple Multiple Multiple Multiple Unified Local Multiple Multiple Multiple Multiple									
X Charter County X Consolidated Local X Government									
Office(s) Impacted: County clerks, all offices that generate public records									
Requirement: X Mandatory Optional									
Effect on Powers & Duties: Modifies ExistingX_ Adds New Eliminates Existing									

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

Section 1 of SB 17 would require that every employee of a public agency, as defined in KRS 61.870, complete open records training. An employee named official records custodian would be required to complete two hours of training within 90 days of employment or election; an employee already serving as official custodian as of date of the Act would be required to complete two hours of open records training within 12 months. The official records custodian would be required to complete to complete open records training within 12 months. The official records custodian would be required to complete open records training every 2 years. An employee or officer of a public agency who is not the official records custodian would be required to complete not less than one hour of training within 90 days of employment or election, or within 12 months of the date of the Act if already serving. The Attorney General would be responsible for providing the training, although the public agency may provide the training to those who are not official custodians. The training must be offered live, though it may be remote. **Section 2** of the bill would amend KRS 61.870 to establish the elements to be included in the training. **Section 3** of the bill would require each public agency to submit contact information for its official custodian to the Attorney General.

SB 17 would have a minimal fiscal impact on local governments. Input for this local mandate analysis was sought from the Kentucky League of Cities and the Kentucky Association of Counties, if a response is received, this mandate analysis may be updated accordingly.

SB 17 authorizes several different modes of training to satisfy its requirements, 1) training by the Attorney General, 2) in-house training of employees or officers of the public agency who are not official custodians, and 3) remote training. According to the Kentucky County Clerks Association (KCCA) most county clerk training takes place at monthly meetings and costs of the training are covered by dues paid by county clerks to the KCAA. If an employee or officer of the county clerk's office who would normally not attend a training does attend as a result of the training requirements of SB 17, that clerk's office may incur additional mileage expense, and perhaps a hotel room depending on the county's location relative to the monthly training site. The Office of the Attorney General states that it would not charge local public officials for open records training offered by its office.

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

Part II applies to SB 17 as introduced. There is no earlier version for comparison.

Data Source(s):		Kentucky	<u>County</u>	Attorneys	Association;		Office of the		Attorney	<u>⁷ General</u>
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