

The fiscal impact of SB 92 GA on local governments is indeterminable, but could result in a slight increase in funding for some units of local government. Counties may receive additional funds under SB 92 GA by virtue of additional money for spay/neuter clinics and for block grants for county animal shelters. The amount would depend on the number of fines levied and collected and the applications received from the counties for their animal shelters.

The bill eliminates imprisonment for certain offenses related to violating the rights of persons with assistance animals. Current law allows for imprisonment in the county jail for a period of 10 to 30 days. The elimination of imprisonment would result in fewer incarcerations. There could be violations for persons misrepresenting a dog as an assistance animal, but this would result only in fines with no incarceration.

With fewer charges that could result in imprisonment, there would be fewer incarcerations 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 will be 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 cost to incarcerate of \$40.11 per day.

The bill would allow any local government that makes provisions for public housing to check the documentation related to the assistance dog, and it holds the dog's handler liable for any damages caused by the dog. This could increase revenues upon collection. Government offices, transportation, and public health services may need to establish policies for determining whether an assistance dog jeopardizes the health and safety of others, but the fiscal impact should be minimal.

The bill could require local law enforcement procedures relating to eviction, citation, and damage fees, but the cost of developing these procedures would be minimal.

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

SB 92 GA was passed the Senate with SCS 1 and no additional changes.

SB 92 SCS 1 made the following changes to SB 92:

- clarified the terms assistance dog and emotional support animal;
- clarified the circumstances under which any rights, privileges, or exemptions afforded to assistance dogs shall be extended to emotional support animals;
- made technical corrections

None of these changes affected the original findings of the original fiscal impact analysis.

Data Source(s): LRS Staff; Department of Corrections

Preparer: CTH (WB) **Reviewer:** KHC **Date:** 3/7/23