## Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

**Part I: Measure Information** 

Bill Request #: 996
Bill #:HB 102
Document ID #: 2137
Bill Title: AN ACT relating to housing opportunities.
Sponsor: Representative Steven Doan
Unit of Government: X City X County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Local Governments
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

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

**HB 102** would require local governments to prioritize housing within applicable zones by easing minimum square footage requirements and aesthetic design requirements. Its provisions would conditionally prohibit local governments from using zoning ordinances to restrict the construction, occupation, and renting of duplexes, triplexes, and secondary dwellings such as tiny homes. HB 102 would also set conditions by which permits can be reviewed and issued as well as conditions by which disputes can be settled.

**Section 17** would require local governments to amend zoning codes to comply with HB 102 within 12 months of the effective date of the Act. A local government's failure to do so would not affect the applicability of the Act nor prevent a property owner from exercising the rights included within the Act.

The fiscal impact of HB 102 on local governments is expected to be minimal. Local governments that choose to create ordinances will incur costs associated with the drafting, publication, indexing and recording of adopted ordinances, and at least every

five years, review and eliminate redundant, obsolete, inconsistent, and invalid provisions.

According to Kentucky League of Cities, most cities, especially the smaller ones, retain their city attorney on contract and pay on an hourly basis. Time spent drafting an ordinance is influenced by its complexity and the amount of research that is necessary. As of FY 2023, the average hourly rate was \$117 to \$128. Rates for legal notices vary greatly depending on the length of the publication, the number of times it needs to be published and the newspaper in which the publication is placed. Therefore, these costs are unknown.

**Data Source(s):** LRC Staff; Kentucky Municipal Statutory Law, Informational Bulletin No.

145, Revised September 2023; Kentucky League of Cities

**Preparer:** Jacob Blevins (BW) **Reviewer:** KHC **Date:** 1/19/24