

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2024 Regular2024 Regular Session**

Part I: Measure Information

Bill Request #: 960

Bill #: HB 135 GA

Document ID #: 5419

Bill Title: AN ACT relating to solid waste managaement service companies.

Sponsor: Representative Jared Bauman

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: Solid waste management

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

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

HB 135 GA would create a new section of KRS Chapter 109 to establish the following as “confidential business information” as it pertains to privately contracted solid waste management services not provided by franchise agreement:

1. Commercial or residential customer service prices; or
2. Commercial or residential customer lists.

HB 135 GA would prohibit a county or a waste management district from requiring a service company or its customers submit to it confidential business information.

The Kentucky Department of Environmental Protection, Division of Waste Management requires a municipal solid waste collector or recycler to complete DEP Form 5033 each year. The form requires that the hauler identify the monthly cost per household for solid waste collection, the number of households served, and the route or coverage area. It does not require names or addresses of customers nor require any information regarding

commercial pick-up except number of businesses served. DEP Form 5033 must be reported to the counties where the solid waste collection service provides service and submitted to the Division of Waste Management, Recycling and Local Assistance Branch. The form advises that persons filing it may claim confidentiality of the information as a trade secret or confidential business information in accordance with 400 KAR 1:060.

The fiscal impact of HB 135 GA on local governments is indeterminable but would be neutral, so long as the prohibition is interpreted as applying only to privately contracted solid waste management services that are not provided pursuant to a franchise agreement.

Data Source(s): Kentucky Department of Environmental Protection, Division of Waste Management website; Kentucky League of Cities; Kentucky Association of Counties; LRC staff

Preparer: Mary Stephens (BL) **Reviewer:** KHC **Date:** 3/5/24