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

## **Part I: Measure Information**

Bill Request #: 1070
Bill #: HB 509 HCS 1
<b>Document ID #:</b>
Bill Title: AN ACT relating to access to the records and meetings of public agencies.
Sponsor: Representative John Hodgson
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Local government agencies
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 509 HCS 1 deals with open records requests for state agencies and all public agencies which include local governments. This Local Government Mandate Statement addresses only the impact to local governments.

**Section 1** proposes the requirement of public agencies to furnish email accounts for officers and employees to conduct government business, and allows for a third-party provider to issue email accounts, if the agency is incapable. The public agency shall maintain a log of agency-designated email accounts that shall be subject to disclosure pursuant to KRS 61.870 to 61.884. Emails and other documents contained within an agency-designated email account shall be deemed to be in the possession of the public agency for the purposes of KRS 61.870 to 61.884.

**Section 2** would make voidable any formal action taken by a public agency that does not substantially comply with KRS 61.840, which requires an agency to maintain adequate meeting space and acoustics.

**HB 509 HCS 1** is expected to have a minimal impact to local government agencies. In the event a third-party provider is needed, additional fees may be expended. The Kentucky League of Cities stated that cities use free email services, but may elect to pay for an email provider.

Additional **indeterminable costs** may be incurred if an agency is not in compliance with KRS 61.840. Modifications to meeting spaces may be necessary and additional meetings at alternative locations may be conducted if a meeting with formal action is voided, duplicating fees associated with conducting formal action meetings.

The Kentucky Association of Counties (KACo) was contacted for input. As of the date of this mandate statement, a reply has not been received. If a reply is received, the statement may be updated accordingly.

Data Source(s): LRC Staff, Kentucky League of Cities

Preparer: Lauren Graves (JB) Reviewer: KHC Date: 3/8/24