Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1429			
Bill #: SB 101 SCS 1			
Document ID #:7088			
Bill Title: AN ACT relating to agritourism.			
Sponsor: Senator Robin L. Webb			
Unit of Government:	X City	X County	X Urban-County Unified Local
-	X Charter County	X Consolidated Local	
Office(s) Impacted:	Local governments		
Requirement: X	Mandatory Opti	ional	
Effect on Powers & Duties:	_ Modifies Existing _	X Adds New Eli	iminates Existing

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

SB 101 SCS 1 proposes to add a new section of KRS 247.800 to 247.810 stating that no city, town, county, or other political subdivision of the Commonwealth will adopt or continue to enforce an ordinance, resolution, rule, or regulation restricting individuals' engagement in agritourism activity as provided in KRS 247.801, if the activity complies with health, safety, and planning and zoning requirements. Any conflicting local legislation is void.

The fiscal impact of SB 101 SCS 1 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. Currently

(FY 2023), the average hourly rate was between \$117 and \$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.

The Kentucky Association of Counties was contacted for input. As of the submission of this Local Mandate Statement, a response has not been received. Once a response is received, the statement may be updated accordingly.

Data Source(s): LRS Staff; Kentucky League of Cities

Preparer: Lauren Graves (JB) **Reviewer:** KHC **Date:** 3/4/24