

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

Part I: Measure Information

Bill Request #: 2041

Bill #: SB 357

Document ID #: 7204

Bill Title: AN ACT relating to the removal of derelict vessels and making and appropriation therefor.

Sponsor: Senator Gex Williams

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

Office(s) Impacted: County clerk; jail

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

SB 357 would define the term derelict vessel and apply it to include a derelict watercraft, motorboat or seaplane. The bill would prohibit any person or entity to store, leave, or abandon a derelict vessel in Kentucky.

The bill would establish the derelict vessel removal assistance fund in the Department of Fish and Wildlife (“the Department”) and would empower the Department to remove a derelict vessel if it obstructs or threatens to obstruct navigation, or is a danger to property, persons, or the environment.

The bill would prohibit a motorboat on the waters of the Commonwealth without wreckage removal insurance and would prohibit a county clerk issuing or renewing a motorboat registration without proof of wreckage removal insurance. The county clerk would be required to enter proof of insurance including coverage for wreckage removal

into the automated vehicle information system (AVIS) and forward the proof to the Department.

Beginning August 1, 2024, 50% of the titling and registration fees collected and forwarded to the Department would be credited to the derelict vessel removal assistance fund established in Section 1 within 30 days of the end of the fiscal quarter. A vessel owner would be required to notify the Department of the destruction or abandonment of the vessel in Kentucky waters within 5 days of destruction or abandonment, along with proof of insurance coverage for the wreckage removal.

Violation of the prohibition against storing, leaving, or abandoning a derelict vessel would constitute a Class B misdemeanor and be subject to a \$250 fine for each day the violation continues.

SB 357 would have a minimal negative fiscal impact on county clerks and on local jails. County clerks would be responsible for verifying a boat owner has valid proof of insurance. County clerks may need training on what would constitute appropriate proof of wreckage removal insurance. County clerks take part in regular meetings that frequently include training in new processes and documentation. These requirements would impose only minimal additional effort or expense, if any, on county clerks.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. Misdemeanants are housed 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 \$44.97 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 \$44.97 per day.

Data Source(s): LRC Staff; KY Department of Corrections

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 3/22/24