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

## **Part I: Measure Information**

Bill Request #: 311						
Bill #: SB 37						
Document ID #: 2178						
Bill Title: AN ACT relating to open records.						
Sponsor: Senator Adrienne Southworth						
Unit of Government: X City X County X Urban-County Unified Local						
X Charter County X Consolidated Local X Government						
Office(s) Impacted: All state and local public agency offices						
Requirement: X Mandatory Optional						
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing						

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

SB 37 **Section 1** would require that every employee of a public agency, as defined in KRS 61.870, complete open records training.

An employee named official records custodian would be required to complete two hours of training within 90 days of employment or election; an employee already serving as official custodian as of date of the Act would be required to complete two hours of open records training within 12 months. The official records custodian would be required to complete open records training every 2 years.

An employee or officer of a public agency who is not the official records custodian would be required to complete not less than one hour of training within 90 days of employment or election, or within 12 months of the date of the Act if already serving.

The Attorney General would be responsible for providing the training, although the public agency may provide the training to those who are not official custodians. The training must be offered live, though may be remote.

**Section 2** of the bill would amend KRS 61.870 to establish the elements to be included in the training. **Section 3** of the bill would require each public agency to submit contact information for its official custodian to the Attorney General.

**SB 37 would have a minimal fiscal impact on local governments.** SB 37 authorizes several different modes of training to satisfy its requirements: 1) training by the Attorney General, 2) in-house training of employees or officers of the public agency who are not official custodians, and 3) remote training.

According to the Kentucky County Clerks Association (KCCA) most county clerk training takes place at monthly meetings and costs of the training are covered by dues paid by county clerks to the KCAA. If an employee or officer of the county clerk's office who would normally not attend a training does attend as a result of the training requirements of SB 37, that clerk's office may incur additional mileage expense, and perhaps a hotel room depending on the county's location relative to the monthly training site. The Office of the Attorney General states that it would not charge local public officials for open records training offered by its office.

Preparer: M	ary Stephens	Reviewer:	KHC	Date:	1/8/24
Data Source(s	): <u>Kentucky County</u>	Clerks Associ	ation; Office of the Atto	orney Ger	<u>ieral</u>