

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2025 Regular Session**

Part I: Measure Information

Bill Request #:	1551	Bill #:	HB 520/SCS 1
Document ID #:	7305	Sponsor:	Representative Christopher W. Fugate
Bill Title:	AN ACT relating to law enforcement records.		

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

Office(s) Impacted: Local Law Enforcement Agencies

Requirement: Mandatory Optional

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

Other Fiscal Statement(s) that may exist: Actuarial Analysis Corrections Impact
 Health Benefit Mandate State Employee Health Plan

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

Section 1 of HB 520/SCS 1 would amend KRS 61.878 to provide that law enforcement records shall be exempt from public inspection if the disclosure of the information could pose a risk of harm to the law enforcement agency or its investigation by revealing the identity of informants or witnesses not otherwise known.

Under KRS 17.150 intelligence and investigative reports maintained by criminal justice agencies are generally subject to public inspection if prosecution is completed or a determination not to prosecute has been made. Section 2 would amend KRS 17.150 to create an exemption from this requirement pursuant to Section 1.

The fiscal impact of HB 520/SCS 1 is indeterminable likely to be minimal to moderate.

HB 520/SCS 1 could reduce the administrative burden on local law enforcement agencies by limiting the volume of records they must review and redact before responding to open records requests. The number of cases where disclosure could pose a risk of harm is uncertain and would depend on the specific facts of each case. There could also be potential litigation costs if challenges arise over whether certain disclosures constitute a

risk of harm under the act; however, such challenges are unlikely to occur on a regular basis.

Data Source(s): LRC Staff

Preparer: AS **Reviewer:** JB (MDA) **Date:** 3/11/25