

Local Government Mandate Statement
Kentucky Legislative Research Commission
2026 Regular Session

Part I: Measure Information

Bill Request #:	257	Bill #:	HB 29
Document ID #:	1970	Sponsor:	Rep. Lindsey Burke
Bill Title:	AN ACT relating to leave from employment.		

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

Office(s) Impacted: All government agencies with employees

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

KRS 337.415 prohibits an employer discharging an employee for taking time off for an ordered court appearance so long as the employee gives prior notice. Consequences to the employer for doing so include reemploying the employee with back pay, court costs and attorney fees.

Section 1 of HB 29 would amend KRS 337.415 to also prohibit an employer discharging, retaliating, or discriminating against an employee who is a victim of a crime because the employee takes leave from work to attend court or other proceedings associated with the prosecution of the crime.

Section 1 would require that an employee give reasonable prior notice to an employer by providing a copy of the notice from the court or agency responsible for scheduling the hearing, conference, or meeting. The employer may require an employee to use accrued leave time. If the employee has no accrued leave time, then it is within the employer's discretion whether to pay the employee for the time taken from work. An employer would be required to maintain confidentiality of any verbal or written communication from an employee relative to the employee's request for leave under KRS 337.415.

Section 2 would impose a civil penalty of \$100 - \$1,000 on an employer for knowingly and willfully taking adverse action against an employee for taking leave under the bill, or knowingly and willfully failing to maintain confidentiality. Each day the employer denies leave to an employee in violation of the Act would constitute a separate offense.

The fiscal impact of HB 29 on local governments is likely minimal. Local government employers are unlikely to intentionally violate HB 29 and face civil penalties. The financial impact depends on the specifics of court proceedings and the employee's accrued leave. Employers may incur costs if they need to hire temporary replacements or pay overtime to other staff covering the leave. However, evidence suggests that it's common for employers to manage with their current staff rather than hire temporary workers when employees are on leave.

The new requirement may require local governments to amend their human resources manuals or, perhaps, local ordinances resulting in costs associated with drafting, publication, indexing and recording of adopted ordinances. LRC sought insight from the Kentucky League of Cities in 2024 regarding an identical bill (HB 362), stating 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. In 2023, the average hourly rate paid by a city to its attorney was \$117 to \$128. Rates for posting legal notices in a newspaper 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.

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

Preparer: BW **Reviewer:** HT (MDA) **Date:** 1/5/26