

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2026 Regular Session**

Part I: Measure Information

Bill Request #:	418	Bill #:	HB 323
Document ID #:	3019	Sponsor:	Rep. Kimberly Holloway
Bill Title:	AN ACT relating to government social media accounts		

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

Office(s) Impacted: Local Government, Schools

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 I of HB 323 prohibits any local government from disabling, blocking, or deleting a person or entity’s comments on a social media platform designated by the public agency to communicate government business. This extends to accounts of individuals who have the authority to speak on behalf of a local government, and who have purported to exercise that authority. The act of deleting a post once the public has engaged with it is considered destruction of a public record under this bill.

HB 323 carves out exceptions, allowing the local government, or person acting on behalf of the local government to remove comments or block posts if a court determines that the comment is libelous or slanderous, obscene, harassment, or would pose an imminent threat to the public or public safety.

This bill creates a cause of action against local governments who violate this section where the person or entity affected can obtain injunctive or declaratory relief, litigation costs, and attorney’s fees.

Section II of HB 323 prohibits schools, school districts, or individuals acting in his or her official capacity from publishing any official electronic school communication to advocate for or against a political topic, party, candidate, or question. Additionally, schools that publish official school communications related to a political topic, party, or question cannot restrict lawful public commentary on the post unless it is necessary to maintain the safety and privacy of students.

While the fiscal impact of HB 323 is indeterminable, it is expected to be negative.

This bill does not create new requirements for local governments, schools, or school districts to take certain action, but it does create a cause of action against local governments that violate Section I of the Act. Local governments that violate this Subsection could be held liable for court costs and attorney's fees if a member of the public is successful in his or her claim.

Data Source(s): LRC Staff

Preparer: JR **Reviewer:** JB (MDA) **Date:** 1/23/26