

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

**Part I: Measure Information**

<b>Bill Request #:</b>	4	<b>Bill #:</b>	HB 762/GA
<b>Document ID #:</b>	7885	<b>Sponsor:</b>	Rep. Stephanie Dietz
<b>Bill Title:</b>	AN ACT relating to legal representation.		

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

Office(s) Impacted:    Jails.

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**

HB 762/GA requires the Department of Public Advocacy (DPA) to file an annual report to inform the LRC and the public of the work of all divisions of the department, including setting forth the total number and types of cases assigned to the department, the average number of cases per attorney, funding, or any other information requested by the LRC.

The DPA shall also provide legal representation to a person who is accused of being in contempt of court for noncompliance with a court-ordered obligation only when the obligation arises out of a criminal prosecution or conviction, or an action or adjudication for a public or status offense.

The DPA shall not be appointed by a court to provide legal representation unless specifically authorized by this bill. Any attorney providing legal representation under KRS Chapter 31 shall forward all information that indicates payment or reimbursement for services to the public advocate under this bill. Additionally, those attorneys cannot accept fees for legal representation from any source other than the DPA. This bill allows

for an exception for unsolicited gifts of de minimis value. Attorneys who violate this shall be guilty of a Class D felony.

Any attorney providing legal representation under KRS Chapter 31 shall file a notice of appeal after trial if requested by the client. Similarly, attorneys appointed under KRS Chapter 202A shall be paid a fee fixed by the court not to exceed \$500, paid by the Finance and Administration Cabinet.

Finally, this bill directs the secretary of the Personnel Cabinet to work with the DPA to develop and implement a new classification series for trial attorneys that will have a minimum entry level starting salary of at least \$67,500.

**While the extent of the fiscal impact of this bill is unknown, jailing those who violate this bill would have a negative fiscal impact.**

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full-service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

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

**Preparer:** JR **Reviewer:** TJ (MDA) **Date:** 3/11/26