

to be construed to prohibit separation of the sexes in the interest of maintaining safety, privacy, and fairness.

Section 4 of the Act would establish that state and local governments, schools, special districts or a subdivision of these public entities that collect sex-related vital statistics in order to comply with state or federal antidiscrimination laws or to gather public health, crime, or other data, would be required to identify each person who is part of the collected dataset as either male or female in compliance with Section 2.

SB 179 would have a negative fiscal impact on local governments if ordinances, local laws, or forms have to be changed to comply with Section 3. There are costs associated with the drafting, publication, indexing and recording of ordinances.

According to Kentucky League of Cities, 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 FY 2022, the average hourly rate was \$125.

Rates for legal notices 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. According to the Kentucky Association of Counties, while they do not have data on the cost of publishing individual ordinances, a survey conducted in 2023 on total county publication costs found that counties spent on average \$13,433 in FY2022 on publications.

If applicable forms submitted by local government offices and agencies currently do not identify persons by sex classification, or use terms other than “male” and “female”, new forms would need to be developed, printed, and distributed. It is not known at what cost.

Data Source(s): Kentucky League of Cities; Kentucky Association of Counties; LRC staff

Preparer: MS **Reviewer:** HT (MDA) **Date:** 3/11/26