

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2024 REGULAR SESSION**

MEASURE

2024 BR NUMBER 1080

HOUSE BILL NUMBER 254

TITLE AN ACT relating to the Department of Public Advocacy.

SPONSOR Representative Daniel Elliott

FISCAL SUMMARY

STATE FISCAL IMPACT: YES NO UNCERTAIN

OTHER FISCAL STATEMENT(S) THAT MAY APPLY: ACTUARIAL ANALYSIS
 LOCAL MANDATE CORRECTIONS IMPACT HEALTH BENEFIT MANDATE

APPROPRIATION UNIT(S) IMPACTED: Corrections and Public Advocacy

FUND(S) IMPACTED: GENERAL ROAD FEDERAL RESTRICTED _____

FISCAL ESTIMATES	2023-2024	2024-2025	2025-2026	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES				
EXPENDITURES		Indeterminable	Indeterminable	Indeterminable
NET EFFECT		Indeterminable	Indeterminable	Indeterminable

() indicates a decrease/negative

PURPOSE OF MEASURE: This legislation reorganizes the Department of Public Advocacy (DPA), exempts its positions from classified service, prescribes that the compensation of attorneys is to be set by the Public Advocate, ties the compensation of the Public Advocate to that of Commonwealth’s Attorneys, and reduces the penalty for attorneys who accept fees or compensation from a client from a Class D felony to a Class A misdemeanor.

FISCAL EXPLANATION: This legislation has an indeterminable impact and is contingent upon the salaries awarded to DPA attorneys, which will be subject to future budget requests to the General Assembly.

There is a potential for incarceration cost savings as it relates to reducing the penalty for attorneys who violate KRS 31.215. The potential cost savings are indeterminable as it is unknown how many offenders will avoid a felony conviction under these provisions.

DATA SOURCE(S): LRC staff and Corrections impact statement

PREPARER: Zach Ireland **NOTE NUMBER:** 158 **REVIEW:** JB **DATE:** 3/21/2024