

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2019 Regular Session**

Part I: Measure Information

Bill Request #: 821

Bill #: SB 14

Document ID #: 1113

Bill Subject/Title: AN ACT relating to personal information.

Sponsor: Senator Danny W. Carroll

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

Office(s) Impacted: All local government offices and personnel (including law enforcement)

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

The fiscal impact on local governments is indeterminate and may range from minimal to moderate (in the event of civil litigation). SB 14 creates new sections of KRS Chapter 61 providing definitions and enumerating what information is protected from disclosure for persons who are law enforcement officers and for other listed individuals. The Act provides the requirements for use or disclosure of protected persons' information by a public agency or third party contractor and enumerates the penalties for use of a person's Social Security number in violation of the provisions of the Act. The bill establishes the requirements of third party contractors who contract with public agencies. Finally, SB 14 establishes the requirements for filing civil actions for claims of violations, and sets out penalties for violations.

SB 14 creates a Class D felony for any person who makes a false representation in order to obtain a Social Security number or any person who willfully and knowingly violates the provisions of Section 3.

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 76 full service jails or four life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day, which equals the 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 \$31.34 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as drafted and there are not any prior versions of the bill to complete the Part III section.

Data Source(s): Kentucky Association of Counties; Kentucky League of Cities; Kentucky Association of Chiefs of Police; Kentucky Sheriffs Association; Kentucky Department of Corrections

Preparer: H. Marks **Reviewer:** KHC **Date:** 1/3/19