Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

| Bill Request #: 950 | | | | | | |
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| Bill #: SB 64 GA | | | | | | |
| Document ID #: <u>3261</u> | | | | | | |
| Bill Subject/Title: AN ACT relating to indemnification of prosecutors. | | | | | | |
| Sponsor: Sen. Rick Girdler | | | | | | |
| Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment | | | | | | |
| Office(s) Impacted: County attorney and staff | | | | | | |
| Requirement: X Mandatory Optional | | | | | | |
| Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing | | | | | | |

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

SB 64 GA amends KRS 15.753 to require the Finance and Administration Cabinet to indemnify a prosecutor (Attorney General or staff, county attorney or staff, Commonwealth's attorney or staff) for financial loss (court costs, attorney's fees) after being sued for an act or omission in the course of official duties.

The bill has an indeterminable to moderate *positive* fiscal impact on local governments.

The Pulaski County Attorney testified that there have been 16 instances about which he was aware in which the county attorney had been sued. Past Attorneys General have not offered a legal defense. The bill requires the Finance and Administration Cabinet to indemnify the county attorney or his or her staff for financial loss.

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

Part II, above, refers to SB 64 GA.

 Data Source(s):
 LRC Staff; Kentucky Revised Statutes; Martin Hatfield, President, Kentucky County Attorneys Association

| Preparer: | Robert Jenkins | Reviewer: | KHC | Date: | 3/18/20 |
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