Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 209			
Bill #: SB 165 HCS	1		
Document ID #: <u>72</u>	76		
Bill Subject/Title: _	AN ACT relating to pu	ublication.	
Sponsor: Senator W	hitney Westerfield.		
Unit of Government:	X City	X County	X Urban-County Unified Local
	X Charter County	X Consolidated Local	
Office(s) Impacted:	Information Technol	logy Staff	
Requirement: X	Mandatory Op	otional	
Effect on Powers & Duties:	Modifies Existing	X Adds New X E	lliminates Existing
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Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

SB 165 HCS 1 provides that river authorities located in Kentucky **may** (*currently required*) establish and fix reasonable rates, charges, and fees for the use of riverport facilities which shall be published in a manner available for the general public in the county in which the riverport is located. Stricken is the requirement the rates, charges, and fees must be printed in a newspaper of general circulation.

SB 165 HCS 1 provides that when a creditor or mortgage holder initiates a foreclosure, the fee paid the auctioneer shall not exceed 6% of the sale price of real property, nor 20% of the sale price of personal property. When the sale of real or personnel property is the result of a court order or decree, the fee paid the auctioneer is negotiable between the auctioneer and the person making the request.

SB 165 HCS 1 provides that when the Government Contract Review Committee disapproves or objects to a personal service contracts, tax incentives, or memorandum of agreement, the decision a may be appealed within ten days to the State Treasure. The

Treasurer shall determine if the contract, tax incentive, or memorandum of agreement shall be revised, be canceled allowing for payment of services rendered, or remain effective.

The fiscal impact of SB 165 GA on local governments is expected to be minimal.

A small number of counties would be affected by the riverport provisions. The Kentucky Transportation Cabinet list the following riverports:

Eddyville Riverport and Industrial Development Authority

Greenup-Boyd County Riverport Authority

Henderson County Riverport Authority

Hickman-Fulton County Riverport Authority

Louisville and Jefferson County Riverport Authority

Owensboro Riverport Authority

Paducah-McCracken County Riverport Authority

Maysville-Mason County Riverport Authority (Developing)

Meade County Riverport Authority (Developing)

Northern Kentucky Port Authority (Developing)

West Kentucky Regional Riverport Authority (Developing)

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

SB 165 HCS 1 makes the following deletions and additions to SB 165 GA:

- removes all language pertaining to URL addresses;
- adds language regarding riverports setting rates, charges, and fees. Removes the requirement these must be printed in a newspaper.
- sets fees for forclosure sales.
- provides that when the Government Contract Review Committee disapproves or objects to a personal service contracts, tax incentives, or memorandum of agreement, the decision may be appealed within ten days to the State Treasurer. The Treasurer shall determine if the contract, tax incentive, or memorandum of agreement shall be revised, be canceled allowing for payment of services rendered, or remain effective. (no direct local government impact).

SB 165 GA keeps the provisions of SB 165 as introduced with the following change per Floor Amendment 1:

- Changes the maximum characters allowed in a Uniform Resource Locator from thirty to fifty. This will be less of a challenge to internal or external IT departments.

Data Source(s): <u>LRC Staff</u>

Preparer: Wendell F. Butler Reviewer: KHC Date: 3/15/21