

1 AN ACT relating to reporting fines and fees.

2 WHEREAS, the authority of governmental entities to impose criminal and civil
3 fines and fees can be misused to unjustly generate revenue; and

4 WHEREAS, it is the responsibility of the General Assembly to monitor the use of
5 fines and fees to ensure that they are not excessive and that fees are not being used
6 primarily to fund essential government functions, including the operation of the criminal
7 justice system; and

8 WHEREAS, the reporting of fines and fees provides the General Assembly the
9 information necessary to oversee the assessment of fines and fees and their subsequent
10 collection;

11 NOW, THEREFORE,

12 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

13 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
14 READ AS FOLLOWS:

15 *As used in Sections 1 to 6 of this Act:*

16 *(1) "Director" means the director of the Administrative Office of the Courts;*

17 *(2) (a) "Fee" means a financial obligation assessed by a governmental entity*
18 *above and beyond a fine.*

19 *(b) "Fee" includes costs, assessments, and surcharges imposed to access*
20 *services or to fund the criminal justice system or other government services,*
21 *whether imposed at the time of arrest, booking, while in court, while*
22 *incarcerated or during diversion programs, or during probation or parole,*
23 *and includes any late fees, interest, and other service charges;*

24 *(3) "Fine" means a punitive financial sanction assessed by a governmental entity for*
25 *violating a law, including traffic laws and code violations; and*

26 *(4) "Governmental entity" means a city, county, urban-county government, charter*
27 *county government, consolidated local government, unified local government,*

1 court, or other governmental body or agency of the Commonwealth that assesses
2 finances or fees related to:

3 (a) Being charged with or convicted of a crime;

4 (b) Adjudication of a criminal violation, including local ordinances or codes; or

5 (c) A civil enforcement action.

6 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
7 READ AS FOLLOWS:

8 (1) The Administrative Office of the Courts shall develop and maintain a statewide
9 database and searchable public website that contain the following information
10 for each fine or fee assessed in a criminal case or civil enforcement action:

11 (a) Name of the assessing governmental entity;

12 (b) Date of the assessment;

13 (c) Total amount of the assessment;

14 (d) Amount of the assessment that was a fine, and amount of the assessment
15 that was a fee disaggregated by fee type;

16 (e) Statute number for the principal crime or violation with which the
17 defendant was charged, convicted, or found in violation of;

18 (f) Due date for the assessment;

19 (g) Whether the assessment, at the time of conviction, included a payment plan;

20 (h) Total length of the payment plan, in months, if applicable;

21 (i) Date when the assessment was paid in full as due, if applicable;

22 (j) Amount of any remaining balance;

23 (k) Amount of any past due balance, and the number of days it is past due;

24 (l) Amount of the interest or penalty for failure to pay as due;

25 (m) Whether the initial assessment has been reduced, restructured, or
26 discharged;

27 (n) Demographic information of the defendant, including race, ethnicity, zip

- 1 code of residence, and indigent status, if applicable; and
- 2 (o) Name of the governmental entity that is the ultimate recipient of the
- 3 assessment.
- 4 (2) (a) Notwithstanding KRS 6.945, at the end of each fiscal year, each
- 5 governmental entity shall submit to the Administrative Office of the Courts,
- 6 in a manner prescribed by the Administrative Office of the Courts, a report
- 7 of all fines and fees assessed by the governmental entity during the fiscal
- 8 year.
- 9 (b) The report shall be submitted to the Administrative Office of the Courts no
- 10 later than thirty (30) days after the close of the fiscal year.

11 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
12 READ AS FOLLOWS:

- 13 (1) The director shall publish an annual report summarizing activity relating to fines
- 14 and fees in the Commonwealth for the preceding fiscal year.
- 15 (2) The report shall be submitted to the:
- 16 (a) Legislative Research Commission for referral to the Interim Joint
- 17 Committees on Judiciary and Appropriations and Revenue;
- 18 (b) Attorney General; and
- 19 (c) Governor;
- 20 no later than November 30 of each year.
- 21 (3) The report may include recommendations to amend statutes and policies to better
- 22 ensure that the assessment, collection, and expenditure of fines and fees are
- 23 carried out and reported in a manner that is fair and equitable to citizens and to
- 24 those who are economically disadvantaged and most vulnerable to excessive fines
- 25 and fees.

26 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
27 READ AS FOLLOWS:

1 (1) If a governmental entity fails to submit the information required under Section 2
 2 of this Act, and the director determines that there is no good cause for the failure,
 3 the governmental entity shall be subject to a civil fine of five hundred dollars
 4 (\$500) or the equivalent of twenty-five percent (25%) of the fine and fee revenue
 5 collected for the fiscal year reported, whichever is greater.

6 (2) Any fine imposed under this section shall be paid to the Administrative Office of
 7 the Courts and deposited into the general fund.

8 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
 9 READ AS FOLLOWS:

10 (1) The Auditor of Public Accounts may, at the request of the Governor or any
 11 member of the General Assembly, perform a financial audit of records related to
 12 revenue assessed and collected through fines and fees. The audit shall be
 13 conducted in accordance with generally accepted government auditing standards.

14 (2) A final copy of any audit report issued under this section shall be submitted to
 15 the:

16 (a) Legislative Research Commission for referral to the Interim Joint
 17 Committees on Judiciary and Appropriations and Revenue;

18 (b) Attorney General;

19 (c) Governor; and

20 (d) Director;

21 no later than ninety (90) days after the issuance of the report, and shall be made
 22 public.

23 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 27A IS CREATED TO
 24 READ AS FOLLOWS:

25 The data and reports compiled and prepared under Sections 1 to 6 of this Act shall be
 26 deemed open records and are subject to public inspection under the Kentucky Open
 27 Records Act, KRS 61.870 to 61.884.

- 1 ➔Section 7. This Act may be cited as the Fines and Fees Reporting Act.
- 2 ➔Section 8. This Act takes effect January 1, 2026.