

**JUSTICE AND PUBLIC SAFETY CABINET**  
**Department of Corrections**  
**(Amendment)**

**501 KAR 6:460. Corrections policies and procedures: inmate work programs.**

RELATES TO: KRS Chapters 196, 197, 197.065, 197.070, 197.110, 197.120, 197.150  
STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.047, 197.110, 439.590, 439.640

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1) (a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, character of the labor, and length of time during which the prisoners shall be employed daily. KRS 197.047(2) requires the department to promulgate an administrative regulation governing prisoners working on governmental services program-related projects. KRS 197.047(5) requires the department to promulgate an administrative regulation setting forth the amount of compensation a prisoner shall earn for any work-related project. KRS 197.110 requires the department to promulgate administrative regulations it deems necessary and proper for classification of prisoners, conditions of inmate work assignments, and inmate pay for work. This administrative regulation establishes policies and procedures concerning inmate work programs for the Department of Corrections.

Section 1. Incorporation by Reference.

(1) "Department of Corrections Policies and Procedures, Chapter 19", November 19, 2025 [~~October 15, 2024~~], are incorporated by reference. Department of Corrections Policies and Procedures Chapter 19 includes:

- 19.1 Governmental Services Program (10/15/24)
- 19.2 Sentence Credit for Work (11/19/25)~~[(10/15/24)]~~
- 19.3 Inmate Wage/Time Credit Program (5/15/24)
- 19.4 Work Release for State Inmates in Jails (10/15/24)

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site in the policies and procedures area at <https://corrections.ky.gov/About/cpp/Pages/default.aspx> or the regulation filing area at <https://corrections.ky.gov/about/pages/lrcfilings.aspx>. 501 KAR 6:460. Corrections policies and procedures: inmate work programs.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

*COOKIE CREWS, Commissioner*

APPROVED BY AGENCY: November 19, 2025

FILED WITH LRC: November 19, 2025 at 4:30 p.m.

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on February 24, 2025, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through February 28, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Nathan Goens, Assistant General Counsel Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Phone: (502) 564-8216, Email: [Justice.RegContact@ky.gov](mailto:Justice.RegContact@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person:**Nathan Goens

**Subject Headings:**Justice and Public Safety, Prisons, Crimes and Punishments

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This administrative regulation establishes policies and procedures concerning inmate work programs for inmates in the custody of the Department of Corrections.

**(b) The necessity of this administrative regulation:**

KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, character of the labor, and length of time during which the prisoners shall be employed daily. KRS 197.047(2) requires the department to promulgate an administrative regulation governing prisoners working on governmental services program-related projects. KRS 197.047(5) requires the department to promulgate an administrative regulation setting forth the amount of compensation a prisoner shall earn for any work-related project. KRS 197.110 requires the department to promulgate administrative regulations it deems necessary and proper for classification of prisoners, conditions of inmate work assignments, and inmate pay for work. This administrative regulation establishes policies and procedures concerning inmate work programs for the Department of Corrections.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

The administrative regulation governs the operations of the department concerning inmate work programs. This administrative regulation complies with the requirements to promulgate administrative regulations as stated in (b).

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

The administrative regulation and material incorporated by reference establish the policies and procedures that govern the operations of the Department of Corrections and its institutions concerning inmate work programs. It provides direction and information to department employees and offenders concerning the operations of the department.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

The administrative regulation amendment amends CPP 19.2, specifically its provisions related who may be awarded work time credits. For an inmate who was on Mandatory Reentry Supervision and was returned as a result of a revocation, for a period nine (9) months, the amendment prohibits such inmate from earning work time credits.

**(b) The necessity of the amendment to this administrative regulation:**

The administrative regulation amendment is needed to ensure the safety and security of the public.

**(c) How the amendment conforms to the content of the authorizing statutes:**

The administrative regulation governs the operations of the department concerning inmate work programs. This administrative regulation complies with the requirements to promulgate administrative regulations as stated in (1)(b) above.

**(d) How the amendment will assist in the effective administration of the statutes:**

The amendment is consistent with statutory requirements and is needed to protect the public safety and security.

**(3) Does this administrative regulation or amendment implement legislation from the previous five years?: No.**

**(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

This amendment will affect the Department of Corrections; approximately 3,900 employees; approximately 815 inmates per year who are revoked from mandatory reentry supervision; jailers; and jail employees.

**(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:**

Department staff will have to change their actions to comply with operational procedures. Jailers and jail employees will have to comply for state inmates housed in a jail.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):**

It will cost the Department of Corrections approximately \$2,700,000 to \$4,100,000 per year; it will cost jailers approximately \$549,000.00 to \$823,500.00 per year; it will not cost Department of Correction employees, inmates, or jail employees anything.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):**

The operational procedures will assist in the effective and orderly management of the department, its correctional institutions, jails housing state inmates, and offenders on mandatory reentry supervision. The procedures will also ensure the safety and security of the public.

**(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

Approximately \$2,700,000 to \$4,100,000 per year.

**(b) On a continuing basis:**

Approximately \$2,700,000 to \$4,100,000 per year as adjusted for inflation.

**(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:**

Appropriated funding

**(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

There will not be an increase in fees or funding necessary to implement this administrative regulation amendment.

**(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

The administrative regulation amendment does not establish any fees.

**(10) TIERING: Is tiering applied?**

(Explain why or why not) No. Tiering was not appropriate in this administrative regulation amendment because the administrative regulation amendment applies equally to all those individuals or entities regulated by it.

## **FISCAL IMPACT STATEMENT**

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:**

KRS 196.035, 197.020, 197.110, and 197.047.

**(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:**

KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their deportment and conduct, character of the labor, and length of time during which the prisoners shall be employed daily. KRS 197.047(2) requires the department to promulgate an administrative regulation governing prisoners working on governmental services program-related projects. KRS 197.047(5) requires the department to promulgate an administrative regulation setting forth the amount of compensation a prisoner shall earn for any work-related project. KRS 197.110 requires the department to promulgate administrative regulations it deems necessary and proper for classification of prisoners, conditions of inmate work assignments, and inmate pay for work. This administrative regulation establishes policies and procedures concerning inmate work programs for the Department of Corrections.

**(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:**

The Department of Corrections, its correctional institutions, and offenders on probation and parole will be affected.

**(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):**

**1. Expenditures:**

**For the first year: Approximately \$2,700,000 to \$4,100,000 per year.**

**For subsequent years: Approximately \$2,700,000 to \$4,100,000 per year as adjusted for inflation.**

**2. Revenues:**

**For the first year: No revenues are expected due to the amendment.**

**For subsequent years: No revenues are expected due to the amendment.**

**3. Cost Savings:**

**For the first year: No cost savings are expected due to the amendment.**

**For subsequent years: No cost savings are expected due to the amendment.**

**(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):**

Local jails will be affected by this amendment.

**(b) Estimate the following for each affected local entity identified in (4)(a):**

**1. Expenditures:**

**For the first year: Approximately \$550,000 to \$825,000 per fiscal year.**

**For subsequent years: Approximately \$550,000 to \$825,000 per fiscal year as adjusted for inflation.**

**2. Revenues:**

**For the first year: No revenues are expected due to the amendment.**

**For subsequent years: No revenues are expected due to the amendment.**

**3. Cost Savings:**

**For the first year: No cost savings are expected due to the amendment.**

**For subsequent years: No cost savings are expected due to the amendment.**

**(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):**

Inmates in the custody of the Department of Corrections will be affected by this administrative regulation amendment.

**(b) Estimate the following for each regulated entity identified in (5)(a):**

**1. Expenditures:**

**For the first year: There will be no expenditures to juveniles in the care or custody of the Department of Juvenile Justice.**

**For subsequent years: There will be no expenditures to juveniles in the care or custody of the Department of Juvenile Justice.**

**2. Revenues:**

**For the first year: No revenues are expected due to the amendment.**

**For subsequent years: No revenues are expected due to the amendment.**

**3. Cost Savings:**

**For the first year: No cost savings are expected due to the amendment.**

**For subsequent years: No cost savings are expected due to the amendment.**

**(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)**

**(a) Fiscal impact of this administrative regulation:**

Approximately \$3,300,000 to \$4,900,000 per year as adjusted for inflation.

**(b) Methodology and resources used to reach this conclusion:**

In 2024, 35 Class B felons, 169 Class C felons, and 610 Class D felons were revoked from Mandatory Reentry Supervision. These inmates were initially released on mandatory reentry supervision 270 days prior to the minimum expiration dates of their sentences. Prior to their return to incarceration, the Class B felons were on supervision for an average of 86 days, the Class C felons were on supervision for an average 75 days, and the Class D felons were on supervision for an average of 94 days. Accordingly, when they were returned to custody, the inmates had on average approximately 6 months left to serve. But for this emergency regulation, these inmates would have been eligible to earn additional sentencing credits and would have been eligible for administrative release. Because the rate at which each inmate earns sentencing credits varies based on their behavior, program enrollments, education enrollments, and work programs, there is no way to calculate exactly how many days of sentencing credits an inmate would have earned if they were eligible. This analysis

estimates that an inmate would have earned between sixty days of sentencing credit (low) and 90 days of sentencing credit (high). ESTIMATED IMPACT TO DOC PER YEAR: Felony Class B - Total Number of Returned Inmates in 2024: 35, Cost to DOC per Day to Incarcerate: \$116.41, 60 day Cost to DOC to Incarcerate: \$244,461.00, 90 Day Cost to DOC to Incarcerate: \$366,691.50. Felony Class C - Total Number of Returned Inmates in 2024: 169, Cost to DOC per Day to Incarcerate: \$116.41, 60 day Cost to DOC to Incarcerate: \$1,180,397.40, 90 Day Cost to DOC to Incarcerate: \$1,770,596.10. Felony Class D\* - Total Number of Returned Inmates in 2024: 610, Cost to DOC per Day to Incarcerate: \$35.34, 60 day Cost to DOC to Incarcerate: \$1,293,444.00, 90 Day Cost to DOC to Incarcerate: \$1,940,166.00. (\*This analysis assumes that most Class D inmates are housed in county and regional jails.) Total - 60 day Cost to DOC to Incarcerate: \$2,718,302.40, 90 Day Cost to DOC to Incarcerate: \$4,077,453.60. ESTIMATED FISCAL IMPACT TO JAILERS PER YEAR: Felony Class D - Total Number of Returned Inmates in 2024: 610, Cost\*\* to Jailers per Day to Incarcerate: \$15.00, 60 Day Cost to Jailers to Incarcerate: \$549,000.00, 90 Day Cost to Jailers to Incarcerate: \$823,500.00. (\*\*This is the approximate cost beyond the \$35.34 paid by DOC to jailers per day.) Total - 60 Day Cost to Jailers to Incarcerate: \$549,000.00, 90 Day Cost to Jailers to Incarcerate: \$823,500.00.

**(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):**

**(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):**

Yes.

**(b) The methodology and resources used to reach this conclusion:**

Department of Corrections population numbers were used to determine the number of inmates that were returned in 2024. The Department of Corrections cost to incarcerate individuals in its facilities is calculated yearly and is currently set at \$116.41. Payments from the Department of Corrections to jailers for the incarceration of state prisoners is calculated according to statute and is currently set at \$35.34 per day. The Department of Corrections creates an annual estimate of the total cost to jails to incarcerate state inmates. In 2025, the cost per day ranged between \$46.51 and \$56.51. In doing this analysis, \$50.34 per day was used as the midpoint between the two for estimation purposes, resulting in a \$15 per day difference between what the Department of Corrections pays to the jailers and the jailers' cost to incarcerate.