

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 109 GA

BR #: 342

DOC ID#: HB010930.100 - 342 - 4878

BILL SPONSOR(S): Rep. - J. Tilley AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to criminal GPS tracking.

SUMMARY OF LEGISLATION: Amend KRS 508.130 and create a new section of KRS Chapter 508 to establish the offense of criminal GPS tracking as a Class A misdemeanor.

HCS - Amend to recognize additional exemptions to the GPS tracking prohibition.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

Creates new crime(s)

Repeals existing crime(s)

Increases penalty for existing crime(s)

Decreases penalty for existing crime(s)

Increases incarceration

Decreases incarceration

Reduces inmate/offender services

Increases inmate/offender services

Increases staff time or positions

Reduces staff time or positions

Changes elements of offense for existing crime(s)

Otherwise impacts incarceration (Explain) _____

STATE IMPACT: Class A, B & C felonies are based on an average daily prison rate of \$60.38. Most Class D felons are housed in one of 79 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.92 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

Projected Impact: NONE MINIMAL MODERATE SIGNIFICANT

Creates no new felonies.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$32.25 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Potential Cost: Section 1 Would amend KRS 508.130 and create Class A Misdemeanor offense if a person is guilty of criminal GPS tracking when he or she intentionally uses or causes the use of any global positioning monitoring system to monitor or track the location of another person.

Based on the \$32.25 per diem rate, the local impact is estimated as follows:

A Class A misdemeanor is 90 days to 1 year in jail

10 Class A misdemeanants: \$29,025 to 117,713.

1 Class A misdemeanant: \$2,903. to \$11,771.

100 Class A misdemeanants: \$290,250 to \$1.1M.

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments.

APPROVED BY: _____

Commissioner, Kentucky Department of Corrections

_____ Date