CORRECTIONS IMPACT STATEMENT

SESSION: 15RS   **BILL #:** HB 177 Introduced   **BR #:** 979   **DOC ID#:** BR097900.100 - 979 - 1622

BILL SPONSOR(S): Rep. G. Stumbo, J. Greer   **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to cruelty to animals.

SUMMARY OF LEGISLATION: Amend KRS 525.010 to define "adequate shelter" in regard to livestock and domestic animals other than livestock; amend KRS 525.130 to require persons having custody of an animal to provide adequate shelter and to clarify exceptions.

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 2 Expands the Class A misdemeanor offense of cruelty to animals second degree to include failure to provide adequate food, potable water, space, shelter, or health care to any animal. The Department anticipates that the new provisions of this bill would not generate a significant number of new inmates; therefore, the impact is expected to be minimal.

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