

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 177 HCS

BR #: 979

DOC ID#: HB017730.100 - 979 - 4728

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.

HCS/LM/CI - Keep original provisions and clarify KRS 525.010 definition of "adequate shelter" to apply to animals which are owned by or in the custody of a person; add "abuse" to list of actions included in mistreatment in KRS 525.130.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input type="checkbox"/> 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, health care, or adequate shelter to any animal.

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 misdemeanor: \$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