

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of HB 22 on law enforcement and jails is expected to be minimal.

Placing “stalking” within the definition of “domestic violence and abuse” would have the effect of allowing protective orders to be issued for stalking. HB 22 does not directly affect the crime of stalking. However, it broadens who may qualify for protective orders, which may lead to more of those orders being issued, which may lead to more orders being violated. These violations are misdemeanors under KRS 403.763. As stated, the bill does not directly affect the crime of stalking; however, defining “stalking” as a form of “domestic violence and abuse” might have the effect of raising some indictments and convictions for stalking from “Stalking in the second degree” Class A misdemeanors to “Stalking in the first degree” Class D felonies.

A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed in one of Kentucky’s 77 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$33.26 per day including medical costs.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky’s 77 full service jails or five Life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$33.26 per day including medical costs. Upon sentencing, a Class D felon is housed in one of Kentucky’s full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$33.26 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): KY Jailers Association; Ky Department of Corrections; LRC staff

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