

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS BILL #: HB 227 Introduced BR #: 1030 DOC ID#: BR103000.100 - 1030 - 1841

BILL SPONSOR(S): Rep. K. Sinnette AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to sexual offender registration.

SUMMARY OF LEGISLATION: Amend KRS 17.500, relating to sex offender registration, to modify the definition of "sex crime"; amend KRS 17.520, relating to the period of sex offender registration, to add specified offenses to lifetime sex offender registration requirement.

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 checked="" 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 78 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

Potential Impact: Section 1 Would expand the definition of a sex crime in KRS 17.500 to include inchoate offenses conspiracy and solicitation. This bill may increase the number of sex crime convictions and the costs associated with incarceration, the impact is expected to be minimal.

Section 2. Would extend certain sex offender's registration period. Extending the period of registration has the potential to increase the amount of offenders on supervision; this cost is currently incorporated in the Department of Corrections budget. Although there is a potential of additional Failure to Comply with Sex Offender Registry convictions as a result of extended periods of registration and the costs associated with incarceration, the impact is expected to be minimal.

This legislation will provide initial progress toward achieving ultimate compliance with the Adam Walsh Act. DOC must continue to pursue compliance in order to preserve Justice Assistance Grant (JAG) Funds. The annual 10% penalty that JAG funds are now subject to is recouped and awarded to the Department of Corrections for related Adam Walsh Act activities as long as the agency is actively pursue compliance.

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.

Creates no new misdemeanor offenses.

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 Justice & Public Safety Cabinet

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