# Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2015 Regular Session

## **Part I: Measure Information**

<b>Bill Request #:</b> 1030				
Bill #: HB 227				
Bill Subject/Title: AN ACT relating to sexual offender registration.				
Sponsor: Representative Sinnette				
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment				
Office(s) Impacted: County jails; County governments				
Requirement: <u>X</u> Mandatory Optional				
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing				

### Part II: Purpose and Mechanics

HB 227 amends the definition of "sex crime" to include those who conspire or solicit to commit a felony offense defined in KRS Chapter 510, KRS 530.020, 530.064(1)(a), 531.310, 531.320 or 531.335, and extends to members from an Indian tribe, or country that have laws of similarly defined offenses. The bill also amends KRS 17.520, by increasing the types of felons that need to report to the sex offender registry, which include rape in the first, second, and third degrees, sodomy in the first, second, and third degrees, solve to the first, second, and third degrees, sexual abuse in the first degree, and incest under KRS 530.020(2) (b) or (c). The bill would also extend the registration requirement to 25 years from 20 years, and require offenders who have been convicted of similar sex offenses in other states to register in Kentucky. Failure to register is a Class D felony for the first offense, and a Class C felony for subsequent offenses.

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

### HB 227 should have minimal impact on local governments.

HB 227 would have minimum fiscal impact on local jails. Currently, an individual who fails to register as a convicted sex offender is guilty of Class D felony, for the first

offense, and a Class C felony for subsequent offenses. When a court denies bail for Class C or Class D felony defendants, the local government is responsible for incarcerating the defendants until disposition of the case in one of Kentucky's 78 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 \$31.34 per day. The Department of Corrections pays a jail \$31.34 per day to house a Class D felon and, under some conditions, a Class C felon. Because failure to register as a convicted sex offender is a felony, local jails will be reimbursed by the Department of Corrections, and would result in minimal cost to local jails. However, the per diem may be less than, equal to, or greater than the actual housing cost.

Additionally, the bill would have minimal fiscal impact on local law enforcement. The Association of Chiefs of Police notes that the bill may increase the workload of local law enforcement agencies, but would have little fiscal impact.

Data Source(s):	Department of Corrections; Association of Chiefs of Police
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Preparer: Daniel Carter Reviewer:	MCY	Date:	2/11/15
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