

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 269 Introduced

BR #: 1111

DOC ID#: BR111100.100 - 1111 - 1949

BILL SPONSOR(S): Rep. A. Koenig AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to domestic violence.

SUMMARY OF LEGISLATION: Amend KRS 403.720 to include stalking and conduct which seriously alarms another person as grounds for the issuance of a domestic violence protective order; amend KRS 525.080 to include electronic communications within the definition of harassing communications.

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 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

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 Impact: Section 2 Would amend KRS 525.080 to include electronic communications within the definition of harassing communications. Harassing Communications is a Class B misdemeanor; by expanding the definition to include electronic communications has the potential to increase Class B misdemeanor convictions for Harassing Communications.

Based on the \$32.25 per diem rate, the local impact is estimated as follows:

A Class B misdemeanor is up to 90 days in jail.

10 Class B misdemeanants: up to \$28,703.

1 Class B misdemeanant: up to \$2,870.

100 Class B misdemeanants: up to \$287,025.

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