

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS BILL #: HB 309 Introduced BR #: 115 DOC ID#: BR011500.100 - 115 - 2368

BILL SPONSOR(S): Rep. D. Butler AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to the recycling of motor vehicles. .

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 186A to permit an automotive recycling dealer or secondary metals recycler to purchase a motor vehicle, ten years or older, without a title; direct the Transportation Cabinet to promulgate administrative regulations; amend KRS 186A.990 to establish penalties; exempt the sale of a motor vehicle under this Act from the provisions of KRS 433.890; amend KRS 186A.215 to conform.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input checked="" 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

Potential Cost: Section 2 Would create a new section of KRS Chapter 186A to permit an automotive recycling dealer or secondary metals recycler to purchase a motor vehicle, ten years or older, without a title and establish penalty of Forgery second degree for a violation. While it is not possible to predict how many convictions this would generate, this would have the potential to increase costs associated with incarceration. Forgery second degree is a Class D felony.

A Class D Felony sentence is 1 to 5 years.

10 Class D Felons cost \$120,145 to \$600,724.

1 Class D Felon costs Ky. \$12,014 to \$60,072.

100 Class D Felons cost \$1.2M to \$6M.

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

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