

# CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 32

BR #: 168

DOC ID#: BR016800.100 - 168 - 322

**BILL SPONSOR(S):** Rep. Joni L. Jenkins **AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to controlled substances.

**SUMMARY OF LEGISLATION:** Amend KRS 218A.050 to add the substance acetylfentanyl to the list of Schedule I controlled substances.

This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

Creates new crime(s)

Repeals existing crime(s)

Increases penalty for existing crime(s)

Decreases penalty for existing crime(s)

Increases incarceration

Decreases incarceration

Reduces inmate/offender services

Increases inmate/offender services

Increases staff time or positions

Reduces staff time or positions

Changes elements of offense for existing crime(s)

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 79 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 1 Proposes to add acetylfentanyl to the list of schedule I controlled substances identified in KRS 218A.050. While this bill has the potential to increase the number of individuals who may serve time on charges related to schedule I controlled substances, it is expected to serve as a deterrent and the impact is expected to be minimal.

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

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Date