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

## **Part I: Measure Information**

Bill Request #: 168
Bill #: HB 32
Bill Subject/Title: An ACT relating to controlled substances.
Sponsor: Joni Jenkins
Unit of Government: <a href="mailto:x">x</a> City <a href="mailto:x">x</a> County <a href="mailto:x">x</a> Urban-County Unified Local <a href="mailto:x">x</a> Consolidated Local <a href="mailto:x">x</a> Government
Office(s) Impacted: All peace officers and local law enforcement offices
Requirement:x Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existingx _ Adds New Eliminates Existing
Part II: Purpose and Mechanics

HB 32 adds "Acetylfentanyl" to the list of controlled substances listed in Schedule I of

KRS218A.050, for which trafficking in, or possession is a Class D felony as provided for in KRS 218A.

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

Acetylfentanyl is a so-called "designer drug" that is 10 to 15 times more powerful than heroin. Adding this drug to Schedule I of controlled substances could minimally increase felony convictions. **Thus, full service jails could experience some minimal costs, or revenue increases**.

While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$33.26 per day including medical costs. Misdemeanant and Class C and D felons, upon sentencing, are housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$33.26 per day to house D or certain Class C felons. Since the per diem pays for the estimated average cost of housing a felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Eighteen full service jails provide an in-patient substance abuse program (SAP) to nearly 1000 convicted felons incarcerated in these jails. The estimated average cost of jailing a convicted felon participating in a SAP is \$42.26 per day. This amount is reimbursed by the Department of Corrections and is \$9 more than the estimated average cost of \$33.26 per day, including medical costs, to jail an individual not participating in a SAP. Since the \$42.26 per diem pays for the estimated average cost of housing a convicted felon participating in a SAP, the per diem may be less than, equal to, or greater than the actual housing cost.

**Data Source(s):** Department of Corrections; LRC Staff; Office of Drug Control Policy;

Kentucky Association of Cheifs of Police

Preparer: Hank Marks Reviewer: MCY Date: 11/18/14