

# CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: HB 51

BR #: 112

DOC ID#: BR011200.100 - 112 - 251

**BILL SPONSOR(S):** Rep. Addia Wuchner **AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to Zohydro.

**SUMMARY OF LEGISLATION:** Amend KRS 218A.050 to make Zohydro a Schedule I drug and provides for its unscheduling once it has been approved as tamper-resistant or tamper-deterrent by the federal Food and Drug Administration.

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 checked="" 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 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 Zohydro 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

\_\_\_\_\_  
Date