

qualify for a concealed carry firearm license.

Under HB 8 SCS the current domestic violence statutes would be repealed and reenacted. KRS 403.715 to 403.785 would continue to address domestic violence and abuse and would be amended to include stalking in the definition of domestic violence and abuse. HB 8 SCS, like HB 8 GA, would create a new KRS Chapter 456; however, under HB SCS Chapter 456 would apply to dating violence and abuse only. HB 8 SCS would retain the majority of the substantive provisions of HB 8 GA to extend the protections of a protective order (“interpersonal protective order”) to victims of dating violence and abuse, sexual assault, and stalking. Unlike HB 8 GA, HB 8 SCS would not require persons against whom a dating violence protective order has been issued to surrender their firearms.

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

The fiscal impact of HB 8 SCS on local government would be unchanged and would be minimal to moderate.

HB 8 SCS would have minimal impact on costs of local law enforcement, since local law enforcement generally respond to all acts of violence anyway. While expanding the right to petition for a protective order to additional populations of victims may result in increased calls to law enforcement, this potential increase in the number of cases may be offset by law enforcement’s ability to direct individuals to resolve their disputes by seeking an IPO rather than resorting to criminal sanctions and incarceration.

The number of additional IPOs that could be issued as a result of the bill is unquantifiable; however, increased issuance could mean increased violations. Violation of an IPO would be a contempt of court or a Class A misdemeanor. A person held in contempt usually serves a brief jail sentence while a person convicted of a Class A misdemeanor may be incarcerated up to one year. Local jails are responsible for costs of incarceration of those held in contempt and misdemeanants, both those convicted and those charged who can’t make bail. Each additional misdemeanor costs the local jail an estimated average of \$31.34 per day.

By increasing options that may be used to defuse a potentially volatile situation, law enforcement may benefit from the additional tools provided in HB 8 SCS.

The Kentucky Association of Counties believes the bill would have a moderate fiscal impact on its members.

Data Source(s): Kentucky Association of Chiefs of Police, Kentucky Association of Counties, LRC staff

Preparer: Mary Stephens **Reviewer:** MCY **Date:** 3/4/15