

CORRECTIONS IMPACT STATEMENT

SESSION: 15RS

BILL #: SB 102 HCS

BR #: 1193

DOC ID#: SB010230.100 - 1193 - 5789

BILL SPONSOR(S): Sen. D. Carroll

AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to criminal homicide.

SUMMARY OF LEGISLATION: Amend KRS 507.010 to define "abuse"; amend KRS 507.030 to include the death of a person caused by intentional abuse as a possible element of manslaughter in the first degree.

HCS - Retain original provisions, amend KRS 507.030 to include a custodian knowingly permitting the intentional abuse of a person under twelve years of age or a person who is mentally or physically helpless which results in death as an element of manslaughter in the first degree.

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 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 Expands the definition of the Class B felony offense of manslaughter in the first degree to include abuse of another person resulting in death. The provisions of this bill are not expected to generate a significant number of new felons to the DOC.

A Class B Felony sentence is 10 to 20 years

10 Class B Felons cost \$2.2M to \$4.4M.

1 Class B Felon costs Ky. \$220,382 to \$440,763.

100 Class B Felons cost \$22M to \$44M.

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