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

### **Part I: Measure Information**

Bill Request #: 1192
Bill #: SB 127
Bill Subject/Title: An ACT relating to the safety and well being of students.
Sponsor: Sen. Jimmy Higdon
Unit of Government: x City x County x Urban-County Unified Local
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government
Office(s) Impacted: sheriffs' offices; police departments; county attorneys' offices; jails
Requirement: x Mandatory Optional
Effect on  Powers & Duties:x _ Modifies Existingx _ Adds New Eliminates Existing

## **Part II: Purpose and Mechanics**

SB 127 requires schools and school districts to have plans for addressing bullying. Harassment, intimidation cyberbullying and bullying are defined. A school code prohibiting harassment, intimidation cyberbullying and bullying is required. Reports regarding these incidents are also required. Section 6 of the bill adds "electronic" communication as a form of harassing communications.

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

## The fiscal impact of SB 127 on local government is expected to be minimal.

"Cyber-bullying is a growing phenomenon, both in and out of schools. Section 6 of the bill includes "electronic" communication as a form of harassing communications which is a Class B misdemeanor. Some additional time and effort on the part of local law enforcement and county attorneys may be required. There could be some related impact on jails.

Most costs related to juvenile detention are covered by state agencies. However, immediate impacts include transportation by local law enforcement to a local police

station, or to a court designated worker location. A County Attorney could become involved. If a student were sent to one of Kentucky's juvenile detention centers, transportation would be provided by the county sheriff's office.

If the student were of majority age and charged with or convicted of a Class B misdemeanor offense it is possible that he or she could be held in a local or regional jail. A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. Misdemeanants are housed in one of Kentucky's 78 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

**Data Source(s):** Kentucky Jailers Association, Kentucky Sheriffs Association, Kentucky

Association of Chiefs of Police

**Preparer:** Hank Marks **Reviewer:** MCY **Date:** 2/9/15