

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

The fiscal impact of SB 30 on local government is expected to be a minimal increase in Class A misdemeanor and Class D felony prosecutions and convictions, resulting in a minimal financial impact on local jails.

Creating a new Class A misdemeanor may result in a minimal negative impact to local correctional costs. The time an individual serves would be a cost the county would completely encumber. However, a person committing an offense under the new statute more than likely would have been charged with a similar offense under current statutes. According to the Kentucky Commonwealth's Attorney's Association, the provisions of SB 30 overlap with various current criminal statutes. Therefore, the impact of the legislation is unknown until prosecutors are faced with the choice of seeking convictions pursuant to current law or SB 30. The Association expects that passage of the bill will result in a minimal increase in Class A misdemeanor and Class D felony prosecutions and convictions.

A person convicted of a Class A misdemeanor may be incarcerated for up to a year in one of Kentucky's 77 Full Service Jails or five Life Safety Jails. While the expense of housing inmates varies by jail, each additional inmate will increase facility costs by an estimated average of \$33.26 per day including medical costs.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case. 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. Upon sentencing, a Class D felon is housed in one of Kentucky's 77 Full Service Jails for the duration of his or her sentence. The Department of Corrections pays a jail \$33.26 per day to house a Class D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): KY Commonwealth's Attorney's Association.; Dept. of Corrections; LRC staff; Kentucky Revised statutes; KY Association of Chiefs of Police; KY Jailors Association.; Ky Sheriff's Assosciation.

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