

CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: HB 120 HCS 1

BR #: 205

DOC ID#:

BILL SPONSOR(S): Rep. L. Belcher, S. Westrom **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to the use of drone for an unlawful purpose.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 500 to define "drone"; prohibit the use of a drone for purposes of harassment, to commit acts of voyeurism, or facilitation burglary; allow the use of drones for lawful commercial, personal, or law enforcement use; of provide that a violation of this section for use of a drone for harassment purposes is a violation and for any other purpose enumerated in the section is a Class B misdemeanor.

HB120 - AMENDMENTS

HCS1/CI/LM - Retain original provisions; revise the definition of "drone"; include additional property offenses where a drone is utilized under the offense of unlawful use of drone; increase penalty.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input checked="" 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 checked="" 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 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 \$61.09. 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 \$31.92 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

Creates no new felonies. Section

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 \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

Potential Impact: Section 1 The proposed legislation creates a Class A misdemeanor for using a Drone to harassment, video voyeurism or facilitate a burglary. While there will be an impact, it is expected to be minimal.

Based on the \$31.34 per diem rate, the local impact is estimated as follows:

A Class A misdemeanor is 90 days to 1 year in jail	10 Class A misdemeanants: \$29,025 to 117,713.
1 Class A misdemeanant: \$2,903. to \$11,771.	100 Class A misdemeanants: \$290,250 to \$1.1M.

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: _____

