

CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: HB 162 GA

BR #: 964

DOC ID#: BR096400.100 - 964 - 1487

BILL SPONSOR(S): Rep. A. Koenig AMENDMENT SPONSOR(S): Rep.

SUBJECT: AN ACT relating to harassing communications..

SUMMARY OF LEGISLATION: Amend KRS 525.080 to include electronic communications within the definition of harassing communications.

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 \$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

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 _____ The proposed legislation adds the term electronic communication to the list of what is deemed as harassing communication. The legislation does not create a new felony. This law has a penalty of a Class B misdemeanor attached to it. A minimal impact is expected.

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

A Class B misdemeanor is up to 90 days in jail.

10 Class B misdemeanants: up to \$28,703.

1 Class B misdemeanor: up to \$2,870.

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: _____

Commissioner, Kentucky Department of Corrections

_____ Date