

**Local Mandate Fiscal Impact Estimate
 Kentucky Legislative Research Commission
 2016 Regular Session**

Part I: Measure Information

Bill Request #: 254

Bill #: HB 44

Bill Subject/Title: AN ACT relating to sex offender registrants.

Sponsor: Representative Kim King

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local
 Government

Office(s) Impacted: Law enforcement; county attorneys; county jails

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Purpose and Mechanics

HB 44 amends certain requirements relating to registered sex offenders. Specifically, HB 44 amends KRS 17.545(2) to prohibit registered sex offenders from publicly owned playgrounds without advance written permission from the playground’s owner or managing authority. Pursuant to KRS 17.990(4), anyone who violates KRS 17.545(2) is guilty of a Class A misdemeanor.

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

The costs of HB 44 are expected to be minimal.

Violation of KRS 17.545(2) is a Class A misdemeanor. A person convicted of a Class A misdemeanor may be incarcerated for up to one year. 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.

During the last three (3) calendar years, there were 30 charges for violations of registered sex offender residence restrictions. Of those, 21 were first time offenders, and nine (9) were second time offenders or greater. Based on the foregoing data, HB 44 would seemingly have a minimal impact on local governments.

Data Source(s): Kentucky Jailers Association; Administrative Office of the Courts;

Preparer: Daniel Carter **Reviewer:** JWN **Date:** 1/8/16