

CORRECTIONS IMPACT STATEMENT

SESSION: 16RS

BILL #: HB 51

BR #: 95

DOC ID#:

BILL SPONSOR(S): Rep. J. Bell, L. Belcher, J. Richards

AMENDMENT SPONSOR(S):

SUBJECT: AN ACT relating to the Department of Corrections' farm operations.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 193 to expand, to the extent feasible, the Department of Corrections' current Farm Operations Program to all adult correctional facilities operated within the Commonwealth, including correctional facilities operated by private contractors; include definitions for "agriculture," "agricultural commodity," "apiary", "aquaculture," "food bank," "livestock," and "poultry"; restrict the consumption of food and agricultural products grown or produced under the Farm Operations Program to inmates and other enumerated individuals or organizations; require that any surplus of agricultural commodities be donated; exempt certain livestock production, use, and ; authorize the department to create an outreach program to facilitate the development of farm operations programs for county jails; require the department to promulgate administrative regulations in accordance with KRS Chapter 13A to develop a strategic plan for the implementation of the goals, objectives, and program criteria of the Farm Operations Program; identify land and property suitable for development; require the department to submit an annual report to the Interim Joint Committee on Judiciary by November 1, beginning in 2017 and provide information on the status of the program, including progress made in achieving the program's purposes, expenditures, and cost savings attributed to the program, and any other information the department can provide concerning the program's operations.

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) Add jobs and increase opportunities for inmates to acquire life skills.

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

Potential Cost: Section The proposed legislation establishes an expanded Farm Operations Program aimed at decreasing operating costs. The provisions of this bill would require a budget increase to hire staff to supervise an inmate workforce and staffing to meet state and federal food safety guidelines. Additional farm equipment would need to be purchased in order to run and maintain the farms as well as buildings to store the equipment. The operation would require processing and storage facilities for meat and produce. The current food service contract utilizes economy of scale cost savings and product offering on a national basis, which would be lost with local production. The Department of Corrections has a number of small scale agriculture and animal husbandry programs. The farm programs have proven to be of benefit to the inmates through the additional jobs that farm operations provide as well as the valuable life skills inmates acquire. The Department of Corrections will utilize the annual reporting mechanism in the bill to analyze operations and facilitate expanding programs as appropriate.

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.

Creates no new misdemeanor offenses.

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