



and a Class C felony for each subsequent offense. This would increase the number of Class D and Class C inmates incarcerated. The proposed legislation shortens the length of time for sex offenders to register their new address if they move to a new county in Kentucky. Anyone who fails to register their new address within the new (shorter) 3 day period would be guilty of a Class D felony for the first offense and a Class C felony for each subsequent offense. Additionally the proposed legislation adds a new requirement that registered sex offenders must give the local probation and parole office certain information no less than 21 days before traveling outside of the U.S. They must also register with the local probation and parole office within 3 days of returning from travel outside the U.S. Failure to comply with the requirement would be a Class D felony for the first offense and a Class C felony for each subsequent offense. Section 6: Adds a new requirement that registered sex offenders over 18 years of age cannot have the same residence as a minor. An exception is made if the sex offender is a close relative of the minor, unless the minor was a victim of the registrant. The penalty for violating this requirement would be a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense. This would increase the number of inmates in the county jails.

From CY 2010 through CY 2015 there was an average of 107 individuals incarcerated for failure to comply with the sex offender registration. If there was a 10% increase in offenders (10) convicted for this charge this would cost the \$118,660 for the first year up to \$ 600,720 for 5 years.

Each new misdemeanor required to serve time in a county jail may pose costs to the state if these additional misdemeanants reduce the Department of Corrections' ability to utilize county jail beds. Specifically, if jail beds are exhausted by county inmates, this reduces the number of beds available to the Department to house nonviolent Class C and Class D felons. In addition to this, the Department indicated that it costs the state \$.057 per county inmate per day to utilize the Department's contract medical, dental, and psychological care access plan pursuant to KRS 441.053.

A Class D Felony sentence is 1 to 5 years.

10 Class D Felons cost \$118,660 to \$593,310.

1 Class D Felon costs Ky. \$11,866 to \$59,331.

100 Class D Felons cost \$1.1M to \$5.9M.

**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 \$31.92 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

**Projected Impact:**  NONE  MINIMAL  MODERATE  SIGNIFICANT

Potential Impact: A second offense for not paying the registration fee would result in a Class B Misdemeanor. This would result in an increase in individuals incarcerated for this offense. The impact is expected to be minimal.

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

10 Class B misdemeanants: up to \$28,728.

1 Class B misdemeanor: up to \$2,873.

100 Class B misdemeanants: up to \$287,300.

**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:**

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Commissioner, Kentucky Department of Corrections

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Date