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

#### **Part I: Measure Information**

Bill Request #: 2076
Bill #: SB 207 SCS
Bill Subject/Title: AN ACT relating to crimes and punishments.
Sponsor: Senator Wil Schroder
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government  Office(s) Impacted: local jails; local law enforcement
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing
Part II. Purnose and Mechanics

## Part II: Purpose and Mechanics

Note: This section only deals with the changes in SB 207 SCS. For a more detailed summary SB 207, refer to the LM on SB 207 without the Senate Committee Substitute.

SB 207 SCS eliminates Sections 3 & 4 from SB 207, dealing with mandatory re-entry supervision (Section 3), and post-incarceration supervision following release (Section 4). Sections 1 & 2 remain intact. Section 1 outlines what would make a person guilty of assault on a service animal, first degree, a Class D felony, and Section 2 amends KRS 439.3401 to include any one who attempts to commit murder as a "violent offender".

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

### SB 207 SCS is expected to have minimal impact on local governments.

Assault on a service animal in the first degree is a Class D felony. When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case 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 \$31.92 per day. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.92 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Similarly, anyone charged with attempted murder (KRS 507.020) would be housed in local jails until disposition of the case, and local jails would be reimbursed at a per diem rate for costs associated with housing the defendant.

**Data Source(s):** <u>Kentucky Jailers Association; Kentucky Association of Chiefs of Police;</u>

Kentucky Sheriffs' Association

**Preparer:** Daniel Carter **Reviewer:** JWN **Date:** 2/29/16