CORRECTIONS IMPACT STATEMENT

SESSION: 16RS **BILL #:** SB 284 **BR #:** 86 **DOC ID#:**

BILL SPONSOR(S): Sen. W. Schroder **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to possession of child pornography.

SUMMARY OF LEGISLATION:

This ☒ **bill** ☐ **amendment** ☐ **committee substitute is expected to:**

☐ **Have the following Corrections impact** ☐ **Have no Corrections impact**

☐ Creates new crime(s)
☐ Increases penalty for existing crime(s)
☐ Increases incarceration
☐ Reduces inmate/offender services
☐ Increases staff time or positions
☒ Changes elements of offense for existing crime(s)
☐ Otherwise impacts incarceration (Explain) .

☐ Repeals existing crime(s)
☐ Decreases penalty for existing crime(s)
☐ Decreases incarceration
☐ Increases inmate/offender services
☐ Reduces staff time or positions

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 $32.51 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

$0-$1,000,000 $1,000,000- $5,000,000 $5,000,000- Up

Potential Impact: The proposed legislation would add KRS 531.335 (child pornography) to the list of offenders who would have to complete a 5 year Sex Offender Conditional Discharge (SOCD) upon finishing their term of incarceration. In Calendar Year 2015, 51 persons were sentenced to a felony conviction under that statute. The daily cost to supervise offender is $3.46. Using the same number of offenders the cost to supervise offenders would be $64,407.90 a year while on SOCD. If an offender on SOCD violates their supervision that individual would be returned to prison to serve day for day the remainder of the 5 year SOCD period. That added cost to incarcerate is difficult to determine due to the amount of time an offender has left to serve varies.

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

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