

1 AN ACT relating to jails and declaring an emergency.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 441.420 TO 441.450 IS CREATED
4 TO READ AS FOLLOWS:

5 *(1) A political subdivision of this Commonwealth, combination of subdivisions, or*
6 *regional jail authority shall not build, reconstruct, remodel, renovate, or*
7 *otherwise change the physical structure of a local correctional facility without the*
8 *express approval of the General Assembly.*

9 *(2) The provisions of this section shall not apply where a court of law has specifically*
10 *issued an order requiring a political subdivision to build, reconstruct, remodel,*
11 *renovate, or otherwise change the physical structure of an existing local*
12 *correctional facility.*

13 *(3) This section shall not prevent a political subdivision of this Commonwealth,*
14 *combination of subdivisions, or regional jail authority from acting to keep,*
15 *maintain, or bring an existing facility into compliance with Kentucky statutes,*
16 *administrative regulations, or state or federal constitutional guidelines applicable*
17 *to detention facilities.*

18 *(4) The provisions of this section shall not apply where a political subdivision of this*
19 *Commonwealth, combination of subdivisions, or regional jail authority elects to*
20 *replace or rebuild a facility following a catastrophic event, including but not*
21 *limited to tornado, fire, and flood. Notwithstanding any statute or administrative*
22 *regulation to the contrary, a local correctional facility shall be rebuilt with no*
23 *more than its last recorded capacity prior to the catastrophic event.*

24 *(5) This section shall expire on and have no force or effect after December 31, 2029.*

25 ➔Section 2. KRS 441.137 is amended to read as follows:

26 (1) For any moneys in an inmate account or prisoner canteen account of a jail that are
27 not returned to a prisoner at the time he or she is released from the jail, the jailer

1 shall transmit a check for the balance of the moneys by first class mail to the
2 released prisoner at his or her last known address. If the check is returned as
3 undeliverable, then the jailer shall attempt to contact the prisoner at a telephone
4 number on file, if any, to arrange the return of the moneys. If the moneys are not
5 claimed after the jailer fulfills the requirements of this subsection, the moneys shall
6 be presumed abandoned after ***ninety (90) days from***~~[one (1) year after]~~ the date the
7 check is mailed or, if an attempt to call is made, the date of the phone call.

8 (2) Any abandoned moneys as set out in subsection (1) of this section shall, if in a
9 prisoner account, be transferred into the canteen account if these are two (2)
10 different accounts, or shall remain in the canteen account and be available for the
11 purposes set out in KRS 441.135.

12 ➔Section 3. Section 1 of this Act, as codified following the 2024 Regular Session
13 of the Kentucky General Assembly, shall be repealed effective December 31, 2029.

14 ➔Section 4. Whereas the costs associated with the construction of local
15 correctional facilities is having immediate and significant impacts on the finances of local
16 governments and local taxpayers, an emergency is declared to exist, and Sections 1 and 3
17 of this Act take effect upon its passage and approval by the Governor or upon its
18 otherwise becoming a law.