

**Local Mandate Fiscal Impact Estimate  
Kentucky Legislative Research Commission  
2017 Regular Session**

**Part I: Measure Information**

**Bill Request #:** 1134

**Bill #:** HB 488

**Bill Subject/Title:** AN ACT relating to concealment of identity during the commission of a crime.

**Sponsor:** Representative Jim Gooch

Unit of Government:  City  County  Urban-County  
 Charter County  Consolidated Local  Unified Local  
Government

Office(s) Impacted: Law enforcement offices; county jails

Requirement:  Mandatory \_\_\_ Optional

Effect on  
Powers & Duties:  Modifies Existing \_\_\_ Adds New \_\_\_ Eliminates Existing

**Part II: Purpose and Mechanics**

HB 488 creates a new section of KRS Chapter 525 to prohibit the concealing of a person's identity (masking) during a protest with the intent to evade discovery in the commission of a crime.

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

**The fiscal impact of HB 488 is minimal.** The bill creates a new Class D felony. Thus there could be some minor increase in arrests and incarcerations related to the provisions of the bill. Local jail incarceration costs are described below.

**Class D felons:**

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 76 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 \$31.34 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 \$31.34 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.

**Data Source(s):** Kentucky Jailers Association; Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police

**Preparer:** H. Marks      **Reviewer:** KHC      **Date:** 2/20/17