



Reduces from five to three days the number of days a registrant convicted under federal law in a court of the United States or in a court martial of the United States Armed Forces to register with the appropriate local probation and parole office.

Requires a registrant using any new email address, any new e-identifiers related to e-communications to register the new identity no later than three working days after the date of change, use, or creation of the new identity.

Requires registrants to register with the appropriate local probation and parole office the following information no less than 21 days before traveling outside of the country: his or her passport number and country of issue, dates of travel, and locales the registrant will visit. The registrant shall inform the local probation and parole office no later than three working days after returning from travel outside the United States.

Any person who knowingly fails to comply with the registration guidelines under Section 2 is guilty of a Class D felony for the first offense and a Class C felony for each subsequent offense.

**Section 3:**

As related to offenses requiring lifetime registration conforms language of KRS 17.520 to KRS 509.020, replacing “confinement” to “imprisonment.” Unlawful imprisonment is a Class D felony.

**Section 4:**

Prohibits a registrant from residing within 1000 feet of publicly owned playgrounds and licensed day care facilities. This conforms to the same requirements as schools.

Forbids a registrant who is 18 years or older from having the same residence as a minor except if the registrant is the spouse, parent, grandparent, stepparent, sibling, stepsibling, or court-appointed guardian of the minor and the minor was not the victim of the registrant.

Any person who violates the terms found in Section 4 is guilty of a Class A misdemeanor for a first offense and a Class D felony for the second and each subsequent offense.

**Section 5:**

Clarifies that a “social networking Web site” does not mean an Internet Web site whose primary purpose is facilitation of commercial transactions involving goods or services between its members or visitors, or the dissemination of news, or of a government entity.

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

**Section 2 and Section 4:**

Any person who fails to comply with providing the appropriate local probation office with finger prints or palm prints is guilty of a Class D felony for the first offense and a

Class C felony for each subsequent offense. Likewise for failure of the registrant to adhere to requirements for traveling outside the country.

A registrant found guilty of living too close to a school or daycare, or a registrant living with a minor in violation of HB 494 is guilty of a Class A misdemeanor for a first offense and a Class D felony for the second and each subsequent offense.

A person convicted of a Class A misdemeanor may be incarcerated for up to one year. Misdemeanants are housed 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. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

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.

When a court denies bail to a Class C 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. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 18 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$31.34 per day to house these Class C felons. Since the per diem pays for the estimated average cost of housing a Class C felon, the per diem may be less than, equal to, or greater than the actual housing cost.

**Data Source(s):** LRC Staff Department of Corrections

**Preparer:** Wendell F. Butler      **Reviewer:** KHC      **Date:** 2/22/17