

# CORRECTIONS IMPACT STATEMENT

SESSION: 17RS

BILL #: HB 501 Introduced

BR #: 1513

DOC ID#: BR151300.100 - 1513 - XXXX

**BILL SPONSOR(S):** Rep. L. Bechler      **AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to sanctuary cities and universities.

**SUMMARY OF LEGISLATION:** Amend KRS 65.133 to require local law enforcement agencies and Kentucky State Police to enforce immigration laws; define sanctuary and sanctuary policy; prohibit local governments from adopting sanctuary policies; establish hearing procedures for determination of sanctuary status; withhold state funding from sanctuaries; establish vicarious liability for local government officials of sanctuaries; prohibit post-secondary educational institutions from enrolling, employing, or contracting with illegal aliens; require post-secondary educational institutions to keep records of immigration status; withhold state funding from post-secondary educational institutions that enroll, employ, or contract with illegal aliens.

This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact       Have no Corrections impact

- |  |  |
|--|--|
| <input type="checkbox"/> Creates new crime(s)                              | <input type="checkbox"/> Repeals existing crime(s)               |
| <input type="checkbox"/> Increases penalty for existing crime(s)           | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration                           | <input type="checkbox"/> Decreases incarceration                 |
| <input type="checkbox"/> Reduces inmate/offender services                  | <input type="checkbox"/> Increases inmate/offender services      |
| <input type="checkbox"/> Increases staff time or positions                 | <input type="checkbox"/> Reduces staff time or positions         |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) |  |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) _____   |  |

**STATE IMPACT:** Class A, B & C felonies are based on an average daily prison rate of \$66.82. Most Class D felons are housed in one of 76 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$31.41 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

Creates no new felonies. There is no expected impact to the Department of Corrections related to this bill.

**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 \$31.34 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.

Under the legislation, if local law enforcement are charged with detaining individuals on immigration issues, there could be an impact on local jail populations. Based on the short duration of this type of detention, overall, the expected impact to local counties would not be expected to be significant.

**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