

This section shall not limit a youth camp's ability to establish a more stringent background check process for its employees, contractors, or volunteers regarding other criminal offenses which, in the discretion of the youth camp, would disqualify the individual from involvement with the youth camp.

Section 7:

Creates a new section of Chapter 194A and provides for the following:
Failure to comply with the Section 6 requirements pertaining to youth camps will result in the immediate suspension of the entity's permit until compliance is reached.

If any employer, contractor, or volunteer is later discovered to have been a violent offender or has been convicted of a sex crime or a criminal offense against a minor, or has been found by CHFS or a court to have abused or neglected a child, he or she shall be terminated immediately and removed from the property.

Any person who owns or operates a youth camp and knowingly allows an individual to serve or continue to serve as an employee, contractor, or volunteer despite a conviction or offense specified in this section shall be guilty as a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense.

Section 8:

Sections 2 through 7 take effect July 1, 2018.

SB 236 SCS retains the major provisions of the measure as introduced and makes no substantial changes affecting the bill.

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

The fiscal impact of SB 236 SCS on local governments is expected to be minimal.

Any background check performed by CHFS or the Cabinet for Justice and Public Safety on behalf of a school, a school district, or youth camp is paid for by the applicant and will have no fiscal impact on local government.

Section 7:

The procedures and personnel to implement SB 236 SCS are already in place. There will be cost associated with disseminating the changes in law and training local law enforcement as to the changes in the law, most of which are expansions of the current law.

Any person who owns or operates a youth camp and knowingly allows an individual to serve or continue to serve as an employee, contractor, or volunteer despite a conviction of offense specified in this section shall be guilty as a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. 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, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. 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, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or

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

Preparer: Wendell F. Butler **Reviewer:** KHC **Date:** 3/1/17