

# CORRECTIONS IMPACT STATEMENT

SESSION: 17RS

BILL #: SB 28 Prefiled

BR #: 186

DOC ID#: BR007500.100 - 75 - 74

**BILL SPONSOR(S):** Sen. Neal

**AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to firearms.

**SUMMARY OF LEGISLATION:** Create a new section of KRS Chapter 527 to prohibit the unlawful storage of a firearm without a trigger lock.

This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

- |  |  |
|--|--|
| <input checked="" 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

**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

Potential Impact:

This bill makes unlawful storage of a firearm a class B misdemeanor, defining unlawful storage as allowing a minor access to a firearm which is not secured by a trigger lock and the minor (without legal justification) accesses the firearm. A class A misdemeanor results when the firearm is used by the minor without legal justification, resulting in physical injury, serious physical injury, or death.

Although it is not possible to determine how many convictions this legislation would generate, the overall local impact could range from minimal to moderate. Data from AOC indicates seven (7) charges in CY2014-2016 for Unlawfully Provide or Permit Minor to Possess Handgun (including inchoate offenses).

A Class B misdemeanor is up to 90 days in jail.

10 Class B misdemeanants: up to \$28,270

1 Class B misdemeanor: up to \$2,827

100 Class B misdemeanants: up to \$282,700

**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