

# CORRECTIONS IMPACT STATEMENT

SESSION: 17RS

BILL #: SB 42 GA 1

BR #: 215

DOC ID#: SB004240.100 - 215 - XXXX

**BILL SPONSOR(S):** Sen. Schickel      **AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to crimes and punishments.

**SUMMARY OF LEGISLATION:** Amend KRS 431.005 to permit a peace officer to make an arrest for a violation of KRS 508.030, assault in the 4th degree, when the violation occurs in a hospital and the officer has probable cause; amend KRS 431.015 to conform.

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

**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 legislation contains provisions that allow a peace officer to make an arrest or issue a citation for a misdemeanor committed outside the officer's presence when a violation of KRS 508.030 has occurred in a hospital, where that authority was previously limited to the hospital's emergency room.

While it is impossible to know how many arrests would be made under the provisions of this bill, it can be concluded that any additional arrests would result in jail costs.

Senate Committee Substitute:

The Senate Committee Substitute expands the definition of hospital to include any property owned or used by a hospital as a parking lot or parking garage.

The Committee Substitute has no additional impact for local jail costs.

**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:**

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Commissioner, Kentucky Department of Corrections

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Date