

# CORRECTIONS IMPACT STATEMENT

SESSION: 17RS

BILL #: SB 57 Prefiled

BR #: 409

DOC ID#: BR040900.100 - 409 - 996

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

**AMENDMENT SPONSOR(S):**

**SUBJECT:** AN ACT relating to medical cannabis.

**SUMMARY OF LEGISLATION:** Create various new sections of KRS Chapter 218A to establish a comprehensive system for medical cannabis, including provisions for medical verification of need; persons allowed to cultivate, use, and possess the drug; organizations allowed to assist in providing the drug; regulation by the state Department of Alcoholic Beverage and Cannabis Control; interaction on the part of state and local governments, including law enforcement, with persons and entities coming within the purview of the Act; and establishment of required reporting and review procedures; rename the Department of Alcoholic Beverage Control the Department of Alcoholic Beverage and Cannabis Control; amend various KRS sections to conform; provide that the Act may be cited as the Cannabis Compassion Act.

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 checked="" 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 anticipated impact for the Department stemming from the proposed legislation.

**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:

The legislation creates a misdemeanor offense for breach of confidentiality of information obtained pursuant to the proposed act, punishable by one hundred eighty (180) days in jail and a one thousand dollar (\$1,000) fine. As the act is very specific in subject, confidentiality, and access to information, the suspected impact is minimal.

**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