

In 2017, there was a total of 1,279 felony cases with 1,319 felony charges for carrying a concealed deadly weapon. Additionally, there was 1,291 misdemeanor cases with 1,320 charges. Case numbers do not equal the number of charges as there could be multiple charges in one case.

While one could assume that as a result of HB 210, the total number of charges related to carrying concealed deadly weapons would decrease, the likelihood of a major reduction in offenses is small. Specifically looking at schools, in 2017, out of the total number of charges, there were 22 felonies and 97 juvenile charges for unlawful possession of a weapon on school property. Since juveniles are prohibited from having firearms, these numbers would likely remain.

Where there is a low percentage of the number of deadly weapon charges on school property, an assumption is made that there would be a similar low percentage of charges for concealed deadly weapon charges in government buildings. HB 210 would not likely change that assumption.

Finally, with passage of HB 210, local governments may have to create new signage and amend ordinances, regulations and policies to incorporate the new changes. While there is a cost related to preparation, printing, public notices, etc., for changing, modifying or creating new ordinances, regulations policy manuals, etc., these costs should be minimal in the overall daily operation of local governments.

HB 210 raises the possibility that the number of overall charges could be reduced resulting in fewer persons being incarcerated for Class B misdemeanors and Class D felonies. In this event, the amount of reimbursement received from the Department of Corrections for housing prisoners would decline appropriately. With the assumption that the total number of charges would remain comparable to that of 2017, there would not be an increase in these costs.

Class B and Class A misdemeanors:

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. 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 four 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.

Class D and Class C felons:

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 four 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 her sentence. The Department of

Corrections pays a jail \$31.34 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

When a court denies bail to a Class C 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 four 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. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$31.34 per day to house these Class C felons. Since the per diem pays for the estimated average cost of housing a Class C felon, the per diem may be less than, equal to, or greater than the actual housing cost.

The fiscal impact of HB 210 on local governments is expected to be minimal.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s): LRC Staff, Administrative Office of Courts; KY Department of Corrections

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