Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1170
Bill #: HB 225
Document ID #: 2538
Bill Subject/Title: AN ACT relating to the advertising of opiate and opioid agonist drugs.
Sponsor: Jeffery M. Donohue
Unit of Government: x City x County x Urban-County Unified Local
x Charter County x Consolidated Local x Government
Office(s) Impacted: Local law enforcement and jails
Requirement:x _ Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existingx _ Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 225 creates a new section of KRS Chapter 218A to prohibit the advertising of opiate and opioid agonist drugs in Kentucky. Violators will be guilty of a Class B misdemeanor for the first offense, and a Class A misdemeanor for each subsequent offense.

HB 225 will have a minimal impact on local law enforcement offices and jails.

There may be some small increase in Class A and B misdemeanor convictions and incarcerations. The costs associated with misdemeanor incarcerations are described below.

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.

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): Kentucky Jailers Association; Kentucky Department of Corrections;

Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police

Preparer: H. Marks Reviewer: KHC Date: 1/24/18