## Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

## **Part I: Measure Information**

Bill Request #: 1585							
Bill #: HB 330							
<b>Document ID #:</b> <u>3951</u>							
Bill Subject/Title: AN ACT relating to citations.							
Sponsor: Rep. Jeff Hoover							
Unit of Government: x City x County   Image: White the second sec							
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government							
Office(s) Impacted: Local law enforcement and jails							
Requirement: <u>x</u> Mandatory Optional							
Effect on Powers & Duties: <u>x</u> Modifies Existing Adds New Eliminates Existing							

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

HB 330 amends KRS 431.015 to clarify the scenarios as to when a peace officer, at the officer's discretion, is allowed to issue a citation based on probable cause that a misdemeanor has been committed outside the peace officer's presence.

**The fiscal impact of HB 330 is indeterminate and minimal.** The bill effectively provides greater discretion to peace officers to issue citations. The bill's provisions could result in some extra training requirements for law enforcement. HB 330 may result in increased misdemeanor incarcerations. The costs of misdemeanor incarcerations are identified below.

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 Sheriffs Association; Kentucky
	Association of Chiefs of Police.

<b>Preparer:</b>	H. Marks	<b>Reviewer:</b>	KHC	Date:	2/13/18