

CORRECTIONS IMPACT STATEMENT

SESSION: 18RS

BILL #: HB 602 Introduced

BR #: 1893

DOC ID#: BR189300.100 - 1893 - XXXX

BILL SPONSOR(S): Rep. W. Coursey **AMENDMENT SPONSOR(S):**

SUBJECT: AN ACT relating to firearms and firearms accessories and declaring an emergency.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 237 to prohibit the sale or transfer of bump stock devices, trigger cranks, and other items designed to accelerate the rate of fire without turning a firearm into a fully automatic firearm; create penalties; provide for the destruction of the items after a conviction and any appeals; EMERGENCY.

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 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 \$70.12. 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 \$31.45 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 MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

HB 602 prohibits the sale or transfer of bump stock devices, trigger cranks, and other items designed or functions to accelerate the rate of fire but does not convert a firearm into a fully automatic firearm. Violation shall be a Class D felony.

Individuals who currently possess the items prohibited under this section for personal use may continue to possess them, but shall be prohibited from selling or transferring the device. Firearms dealers shall have ninety (90) days to remove prohibited items from inventory. Upon conviction and upon conclusion of an appeal, the Court shall order the destruction of prohibited items.

Offenders convicted of Class D felonies shall be housed in a county jail at a daily rate of \$31.34.

A Class D Felony sentence is 1 to 5 years.	10 Class D Felons cost KY \$114,808 to \$574,040
1 Class D Felon costs KY \$11,481 to \$57,404	100 Class D Felons cost KY \$1.1M to \$5.7M

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 MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

Additional Class D offenders provides a revenue opportunity for the jails through state inmate per diem, however, any additional incarcerated offenders impacts local jail capacity. Overall, the anticipated number of offenders to be convicted under HB 602 and the corresponding impact to local jails is not expected to be significant.

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. The Department of Corrections and local jails continue to operate over capacity. Without steps to reduce the population, any legislation that increases population or lengthens the term of incarceration will have a significant impact on correctional operations.

APPROVED BY:


Deputy Commissioner, Kentucky Department of Corrections

3/15/18
Date