

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 five 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.

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

The change made to SB 19 by SB 19 SCS does not materially change the fiscal impact statement. SB 19 SCS retains the provisions of SB 19 and adds a Section 7 amending KRS 510.020 defining to define a person incapable of consent as one who is "unable to communicate consent or lack of consent, or unable to understand the nature of the act or its consequences due to an intellectual disability or a mental illness".

Data Source(s): Kentucky Jailers Association; Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police; Kentucky Department of Corrections.

Preparer: H. Marks **Reviewer:** KHC **Date:** 3/2/18