Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1875
Bill #: SB 239
Document ID #: 6130
Bill Subject/Title: An ACT relating to sexual activity with animals.
Sponsor: Senator Paul Hornback
Unit of Government: x City x County x Urban-County Unified Local
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government
Office(s) Impacted: Local law enforcement and jails
Requirement:x _ Mandatory Optional
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

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

SB 239 creates a new section of KRS Chapter 525 establishing the crime of sexual activity with animals. It defines terms and specifies the conduct (that a person knowingly engages in) that constitutes sexual activity with animals. SB 239 provides for exemptions for animal husbandry or veterinary medical practices.

The Act provides that sexual activity with animals is a Class A misdemeanor, and allows courts to impose additional penalties on persons convicted of violating the Act's provisions. As a condition of bond a court may seize all animals involved in an alleged violation, if the court has reasonable grounds to believe a violation has occurred.

The fiscal impact of SB 239 is indeterminate and minimal. As a new Class A misdemeanor crime is created, there could be some small increase in local jail misdemeanor incarcerations. The costs associated with Class A Misdemeanor incarceration are described below.

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	Correctio	<u>ons</u>
Preparer: H.	Marks	Reviewer:	KHC		Date:	3/15/18