Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 195							
Bill #: HB 117							
Document ID #: 423							
Bill Subject/Title: AN ACT relating to road safety.							
Sponsor: Representative Chad McCoy							
Unit of Government:xCityxCountyxUrban-CountyxCharter CountyxConsolidated LocalxGovernment							
Office(s) Impacted: Local Jails and law enforcement.							
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 117 amends KRS 512.070 to include the dropping on a highway of "unsafe amounts of mowed grass" among the things that constitute criminal littering.

The fiscal impact of HB 117 is indeterminate and minimal. There may be some small increase in Class A misdemeanor convictions and incarcerations/fines for criminal littering as a consequence of this legislation.

On the other hand, Subsection 4 of Section 1 of the Act **provides that a legislative body may enact an ordinance making the offense a violation (civil offense) which could produce some revenue through fines**. The incarceration costs associated with Class A misdemeanors are identified 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

Part II, above, pertains to the bill as drafted. There is no prior version of the bill to complete Part III.

Data Source(s):Kentucky Jailers Association; Kentucky Department of Corrections;
Kentucky League of Cities; Kentucky Association of Counties

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