



of crimes at sites others than schools. Statistics for this particular language are not available.

We can determine that under the current law **as it pertains to schools** between the years of 2001 and 2014, that there were a total of 199 charges levied in 46 counties, the majority of those with 1 or less charges per year.

Additionally from a jail housing perspective, we can assume a number of charges currently filed at Class D felony may become Class C felony, and as a result local jails will not be housing the Class D felons for the duration of their sentences. This will reduce any expenses the local jail realizes from housing these prisoners and the per diem reimbursement from the Department of Corrections for those expenses until a Class C felony defendant is eligible to serve the remainder of their sentence in a county jail.

When a court denies bail to a Class D 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 four 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. 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 four 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**

HB 130 GA keeps the major provisions of HB 130 HCS 1 and makes the following change: expands the definition of terroristic threatening in the second degree to include any scheduled, publicly advertised event open to the public and any place of worship.

HB 130 HCS 1 keeps the major provisions of HB 130 and makes the following change: removes the language of HB 130 referring to "any public gathering, place of public accommodation, church, and place of worship".

**Data Source(s):** LRC Staff, Department of Corrections, Administrative Offices of the Court

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