

HB 5 GA would result in a minimum number of additional Class D felony arrests and incarcerations. 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 local jails \$31.34 per day to house a Class 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.

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

The LM statement for HB 5 GA is the same as the LM statement for HB 5 HCS. The House adopted the House Committee Substitute and did not adopt any additional amendments.

HB 5 HCS made only one technical change to the bill as introduced. At Section 4 (22) the House Committee Substitute replaces "[e]xcept as provided in subsection (6) of Section 1 of this Act" with "subsection (7)."

Data Source(s): Department of Corrections; LRC staff

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 2/28/19