Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 307
Bill #: HB 98
Document ID #: 1095
Bill Subject/Title: AN ACT relating to cruelty to equines.
Sponsor: Representative Diane St. Onge
Unit of Government: x City x County x Urban-County Unified Local
x Charter County x Consolidated Local x 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

HB 98 creates a new section of KRS Chapter 525 to prohibit cruelty to equines, including situations involving abuse, neglect, and sexual contact. **It makes cruelty to equines a Class D felony** and provides for terminations of ownership. The bill lists exceptions to its provisions.

The impact of HB 98 is indeterminate and minimal. HB 98 creates a new Class D felony crime. The costs associated with Class D felony incarcerations are described below.

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.

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

The Part II section above pertains to the bill as drafted and there are not any prior versions of the bill to complete the Part III section.

Data Source(s): Kentucky Department of Corrections; Kentucky Sheriffs Association;

Kentucky Association of Chiefs of Police; Kentucky Jailers Association

Preparer: H. Marks Reviewer: KHC Date: 12/28/18