

## CORRECTIONS IMPACT STATEMENT

**SESSION:** 19RS **BILL #** SB 102 **GA . BR #** 281 **DOC ID #:** SB010210.100 - 281 - XXXX

**BILL SPONSOR(S):** Sen. W. Westerfield, D. Carroll, W. Schroder **AMENDMENT SPONSOR(S):** . .

**SUBJECT:** AN ACT relating to crimes and punishments.

**SUMMARY OF LEGISLATION:** Amend KRS 531.300 to add definitions for "child sex doll" and "traffic"; create new sections of KRS Chapter 531 to prohibit the possession of a child sex doll, the trafficking of a child sex doll, and the importing of a child sex doll; amend KRS 531.340 to conform.

**AMENDMENT:** Amend the definition of "child sex doll"; create a new section of KRS Chapter 531 to prohibit the advancing of child sex dolls.

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This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

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|--|--|
| <input checked="" type="checkbox"/> Creates new crime(s)                   | <input type="checkbox"/> Repeals existing crime(s)               |
| <input type="checkbox"/> Increases penalty for existing crime(s)           | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration                           | <input type="checkbox"/> Decreases incarceration                 |
| <input type="checkbox"/> Reduces inmate/offender services                  | <input type="checkbox"/> Increases inmate/offender services      |
| <input type="checkbox"/> Increases staff time or positions                 | <input type="checkbox"/> Reduces staff time or positions         |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) |  |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) .       |  |
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**STATE IMPACT:** Class A, B & C felonies are based on an average daily prison rate of \$71.10. Most Class D felons are housed in one of 76 full service jails for up to 5 years. DOC's cost to incarcerate a felony inmate in a jail is \$32.78 per day (includes jail per diem, medical & central office costs), not including substance abuse treatment. Projections are based on the daily rate x 365 x number of years.

**Projected Impact:**  NONE  MINIMAL to MODERATE (< \$1 million)  SIGNIFICANT (> \$1 million)

SB 102 establishes criminal penalties related to child sex dolls. A definition of a child sex doll and trafficking is added to KRS 531.300. A statutory reference in KRS 531.340 is modified to conform.

Possession of a child sex doll is a Class D felony.

Trafficking of a child sex doll is a Class C felony.

Importing a child sex doll is a Class C felony.

This offense would not be designated as a sex crime under KRS 17.500(8)(a).

Class D and Community Custody Class C offenders would serve their sentence in a county jail at a cost to the state of \$31.34 per day to the local jail.

Class C offenders not community custody eligible would be housed at a state prison at a cost of \$71.10 per day.

It is unknown how many convictions would be generated under SB 102, though the numbers would not be expected to be significant.

For comparison purposes, the Department of Corrections currently has one (1) offender on supervision for KRS 531.020 Distribution of Obscene Matter. AOC records indicate six (6) convictions for Distribution of Obscene Matter in FY2018.

The impact to state incarceration under SB 102 would be estimated as minimal.

