



Class C felony with associated fines. Any business entity violating the provision of Chapter 151 or failing to comply with orders of the State Board of Agriculture is subject to the same penalties as individuals.

**Section 27 of the Act amends KRS 64.012 to delete the \$10 filing fee for a grain warehouseman's license.**

**The fiscal impact of SB 153 GA is minimal.** There may be some increase in misdemeanor and felony incarcerations. County clerks will no longer collect a license fee for warehouseman licenses. The costs associated with misdemeanor and felony incarcerations is described below.

**Class B and Class A misdemeanors:**

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.

**Class D and Class C felons:**

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**

SB 153 GA with Senate Floor ament 1 retains the original provisions of SB 153 to clarify claim values and amends KRS 251.640 to clarify terms in which the board shall reinstate the assessment. It amends KRS 251.650 to establish reporting requirements of the board. SB 153 GA makes no changes to the penalties provided for in SB 153, or the deletion of the \$10 clerk filing fee. **The fiscal impact remains the same as for SB 153.**

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

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