

CORRECTIONS IMPACT STATEMENT

SESSION: 19RS BILL # SB 63 Introduced BR # 267 DOC ID #: xxxx

BILL SPONSOR(S): Sen. R. Thomas AMENDMENT SPONSOR(S): . .

SUBJECT: AN ACT relating to voting.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 117 to allow in-person early voting between 8 a.m. and 6 p.m. on the three Saturdays preceding any primary, regular election, or special election; amend KRS 117.087, 117.165, 117.235, and 117.995 to conform; amend KRS 118.035 to conform and to extend voting hours for election day voting from 6 a.m. to 8 p.m.

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|--|--|
| <input 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 63 expands hours of early voting and election day voting.

SB 63 creates a Class D felony under KRS 117.995 for making a false statement on an application to cast an in-person early voting ballot.

Offenders convicted under this legislation would be a Class D felon housed in a county jail facility as a state inmate at a cost of \$31.34 per day.

The Department of Corrections records reflect zero (0) offenders incarcerated or on supervision for voting violations under KRS 117. Additionally, AOC records indicate there have not been any convictions under this chapter since 1997.

It is known how many additional felony convictions would be generated under this criminal offense, however, given the existing number criminal voting-related violations, the number would likely be minimal.

A Class D Felony sentence is 1 to 5 years.	10 Class D Felons cost KY \$119,649 to \$598,244
1 Class D Felon costs KY \$11,965 to \$59,824	100 Class D Felons cost KY \$1.2M to \$6M

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders.

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

Offenders convicted under this legislation would be a Class D felon serving their sentence at a county jail facility.

This provides additional revenue for jails. However, in times of current overcrowding any additional incarceration has an impact on the occupancy of jail beds.

Overall, the number of offenders convicted under SB 63 are expected to be minimal. Additionally, offenders convicted of voting violations may receive community supervision as an alternative to incarceration. As such, the impact to incarceration under this legislation is likely to be very minimal.

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments. The Department of Corrections and local jails continue to operate over capacity. Without steps to reduce the population, any legislation that increases population or lengthens the term of incarceration will have a significant impact on correctional operations.

APPROVED BY:  1/18/2019
Commissioner, Kentucky Department of Corrections Date