

HB 122 would classify failure to maintain confidentiality a Class B misdemeanor for the first offense and a Class A misdemeanor for each subsequent offense. Local governments are responsible for incarcerating individuals charged with a Class A or Class B misdemeanor. Individuals convicted of a Class B misdemeanor or a Class A misdemeanor can be incarcerated respectively for up to 90 days or one year in one of Kentucky's local jails. While the expense of housing inmates varies by jail, each additional inmate will increase facility costs by an estimated average of \$31.34 per day. The number of cases constituting a crime under HB 122 would be expected to be small. Therefore, the cost borne by local governments would be minimal. One local government employer found guilty of violating confidentiality one time could cost the local jail approximately \$2,820.60 if sentenced to and serving the entire 90 days in jail.

Employers may incur expense of hiring a temporary worker or of paying overtime to another employee to perform the duties of the absent employee. This expense would be expected to be minimal.

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

Part II pertains to the bill as introduced.

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

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 1/13/20