

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2020 Regular Session**

**Part I: Measure Information**

**Bill Request #:** 358

**Bill #:** HB 178

**Document ID #:** 630

**Bill Subject/Title:** AN ACT relating to assault on service animals.

**Sponsor:** Representative Terri Branham Clark

Unit of Government:  City  County  Urban-County  
Unified Local  
 Charter County  Consolidated Local  Government

Office(s) Impacted: Local law enforcement and jails

Requirement:  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**

**The fiscal impact of HB 178 is indeterminate and minimal.** HB 178 amends KRS 525.200 to delete language excluding “service animal” from the definition of “assistance dogs” as in KRS 525.010(6)(h). This could have the effect of increasing Class D felony arrests and incarcerations. 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 77 full service jails or three 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**

Part II, above, pertains to the bill as introduced.

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

**Preparer:** H. Marks                      **Reviewer:** KHC                      **Date:** 1/10/20