

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

Part I: Measure Information

Bill Request #: 1146

Bill #: HB 183

Document ID #: 2291

Bill Subject/Title: AN ACT relating to human trafficking.

Sponsor: Rep. Suzanne Miles

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

Office(s) Impacted: Local law enforcement; 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

KRS 17.500 to 17.580 relate to Sex Offender Registration. HB 183 amends KRS 17.500 by expanding the list of sex crimes, the conviction of which require registration, to include commercial sexual activities of (1) human trafficking and (2) promoting human trafficking. (The bill also requires truck stops located within 2 miles of an interstate or state parkway and airports to post in all restrooms a sign with the telephone hotline number of the National Human Trafficking Resource Center.)

The impact of HB 183 would be indeterminate to minimal. A person who fails to register or who provides false, misleading, or incomplete information as required under KRS 17.500 to 17.580 is guilty of a Class D (for a first offense) and Class C (for subsequent offense). Expanding the list of sex crimes subject to registration could lead to an increase in these Class D and Class C felony incarcerations.

When a court denies bail to a Class D or C 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 Class 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.

A Class C felon is ineligible for placement in local jails until he or she is classified at the lowest custody level with 24 months or less to the minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$31.34 per day to house a Class C felon. 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

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

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

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 1/14/20