

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

Part I: Measure Information

Bill Request #: 473

Bill #: HB 204 GA

Document ID #: _____

Bill Subject/Title: AN ACT relating to sex offender registrants.

Sponsor: Representative Savannah Maddox

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

HB 204 GA amends KRS 17.545 to prohibit all sex offender registrants from living within 1,000 feet of a publicly leased playground and from being on the grounds of a publicly leased playground. Violation is a Class A misdemeanor for the first offense and a Class D felony for second and subsequent offenses.

The fiscal impact of HB 204 GA is minimal. There may be some small increase in Class A misdemeanor and Class D felony arrests and incarcerations. The costs for Class A misdemeanor and Class D felony incarcerations are described below.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky’s 77 full service jails or three 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.

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

The fiscal impact of HB 204 GA (with clarifying Floor Amendment 1) is the same as HB 204 as introduced.

Data Source(s): Kentucky Department of Corrections;

Preparer: H. Marks **Reviewer:** KHC **Date:** 1/29/20