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

**Part I: Measure Information** 

Bill Request #: 253
Bill #: HB 216 HCS
Document ID #: 7137
Bill Subject/Title: AN ACT relating to interpersonal violence.
Sponsor: Representative Walker Thomas
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: local jails and law enforcement
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 216 HCS defines "domestic animal" and amends KRS 403.720 and 456.010 to expand the definitions of "domestic violence and abuse" and "dating violence and abuse." The expansion includes any conduct that is prohibited by KRS 525.125, 525.130, 525.135, or 525.137 conducted towards a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a family member, member of an unmarried couple, or against a person with whom the perpetrator is or has been in a dating relationship. The conduct prohibited through those statutes are cruelty to animals in the first degree, cruelty to animals in the second degree, torture of a dog or cat, and sexual crimes against an animal.

The Act also expands the definition of "substantial violation" to include a domestic animal of an individual protected by an order of protection.

The fiscal impact of HB 216 HCS is indeterminate and minimal.

As the legislation includes actual or threatened harm to a domestic animal belonging to an individual protected by an order of protection as a substantial violation of that order of protection, there could be an increase in violations of protective orders under the legislation. Violation of a Kentucky EPO, DVO, or IPO is a Class A misdemeanor.

## Class A misdemeanors:

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.

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

HB 216 HCS includes a provision defining "domestic animal" in HB 216. The fiscal impact of HB 216 HCS is identical to that of HB 216.

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

Kentucky Sheriffs Association; Kentucky Association of Chiefs of Police

Preparer: H. Marks Reviewer: KHC Date: 3/12/20