

# CORRECTIONS IMPACT STATEMENT

SESSION: 20RS BILL # HB 480 Introduced BR # 1394 DOC ID #: xxxx

BILL SPONSOR(S): Rep. J. Sims Jr AMENDMENT SPONSOR(S): . .

TITLE: AN ACT relating to parentage and making an appropriation therefor.

**SUMMARY OF LEGISLATION:** Establish KRS Chapter 408 to adopt the Uniform Parentage Act (2017); amend various KRS sections to conform; repeal KRS 199.503 and KRS Chapter 406.

**AMENDMENT:** .

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This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact  Have no Corrections impact

- |  |   |
|--|---|
| <input type="checkbox"/> Creates new crime(s)                              | <input type="checkbox"/> Repeals existing crime(s)                          |
| <input type="checkbox"/> Increases penalty for existing crime(s)           | <input checked="" type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration                           | <input type="checkbox"/> Decreases incarceration                            |
| <input type="checkbox"/> Reduces inmate/offender services                  | <input type="checkbox"/> Increases inmate/offender services                 |
| <input type="checkbox"/> Increases staff time or positions                 | <input type="checkbox"/> Reduces staff time or positions                    |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) |   |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) .       |   |
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**STATE IMPACT:** Class A, B, & C felonies are based on an average daily prison rate of \$75.91. Community Custody Class C and most Class D felons are housed in one of seventy-seven (77) full service or regional jails for up to five (5) years. Department of Corrections' cost to incarcerate a felony inmate in a jail is \$36.70 per day, which includes \$31.34 per diem, medical costs, & central office administrative costs (substance abuse treatment not included). *Projections are based on the daily rate x 365 days x number of years. Offenders may have multiple offenses or incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

**Projected Impact:**  NONE  MINIMAL to MODERATE (< \$1 million)  SIGNIFICANT (> \$1 million)

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**LOCAL IMPACT:** Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. While the expense varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical that DOC pays jails to house felony offenders. Since the per diem is an estimated average cost of housing an inmate, the per diem may not be the actual housing cost for the jail. *Projections are based on the daily rate x 365 days x number of years. Offenders may have multiple offenses or incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

**Projected Impact:**  NONE  MINIMAL to MODERATE (< \$1 million)  SIGNIFICANT (> \$1 million)

HB 480 establishes the Uniform Parentage Act. The legislation identifies parent-child relationships and covers areas such as termination of parental rights, establishment of a paternity registry, genetic testing, surrogacy, assisted reproduction, and adjudicating parentage.

The legislation establishes a Class B misdemeanor for the unlawful disclosure of information from the paternity registry.

A Class B misdemeanor is also established for the intentional and unlawful release of an identifiable specimen of an individual's genetic testing for a purpose other than parentage.

Under a portion of the legislation applicable specifically to the offender population, a woman may seek to preclude a man from establishing parentage under allegations of sexual assault under KRS Chapter 510. There are specified exclusions, such as previous adjudication of parentage and an established relationship with the child. A timeframe for entry of the allegation is established as well as guidelines for proving the allegation and ordering of financial obligations for the child.

Under KRS 199.990, misdemeanor violations and fines related to unlawful registration of false information or unlawful release of confidential information in violation of KRS 199.503(4), KRS 199.503(8) or (9), or KRS 199.505 are deleted. The legislation repeals KRS 199.503 and modifies KRS 199.505.

Such Putative Father Registry Violations are treated as Class A misdemeanors under the existing statute.

The Department of Corrections does not have any offenders on record for Putative Father Registry violations. AOC indicates zero (0) convictions associated with KRS 199.503 in FY 2019.

Misdemeanors are subject to the jurisdiction and cost of the county.

The number of offenses incurred under HB 480 would likely be limited in number with minimal impact on incarceration.

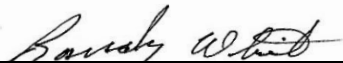
A Class A misdemeanor is 90 days to 1 year in jail.	10 Class A misdemeanants: \$28,206.00 to \$114,391.00
1 Class A misdemeanor: \$2,820.60 to \$11,439.10	100 Class A misdemeanants: \$282,060.00 to \$1,143,910.00
A Class B misdemeanor is up to 90 days in jail.	10 Class B misdemeanants: up to \$28,206.00
1 Class B misdemeanor: up to \$2,820.60	100 Class B misdemeanants: up to \$282,060.00

**Projected Corrections Impact from Amendments:**

**The following offices contributed to this Corrections Impact Statement:**

Dept. of Corrections  Dept. of Kentucky State Police  Administrative Office of the Courts  Parole Board  Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population or that impose new obligations on state or local governments. The Department of Corrections and local jails continue to operate over capacity. Without steps to reduce the population, any legislation that increases population or lengthens the term of incarceration will have a significant impact on correctional operations.

**APPROVED BY:**  **3/16/2020**  
 Commissioner, Kentucky Department of Corrections Date