

Nonsupport is a Class A misdemeanor. KRS 439.179 requires a Class A misdemeanor inmate who is participating in work release to pay for the cost of board in the jail (up to 25% of the prisoner's gross daily wages, not to exceed \$40 per day, but not less than \$12 per day). Money collected would be paid to the county treasury for the jail's use. The sentencing court may also order the employer to deduct, among other things, the prisoner's board and transportation costs incurred by the county and support of dependents.

Flagrant nonsupport is a Class D felony. KRS 532.100 requires a Class C or D felony inmate housed in a county jail who participates in work release to pay, if required by the jailer, a fee that is the lesser of \$55 per week or 20% of the prisoner's weekly net pay, for the purpose of reimbursing the jailer for the cost of operating the work release program.

The Administrative Office of the Courts provided statistics on nonsupport and flagrant nonsupport charges from January 1, 2019 through February 5, 2020. There were 700 convictions for nonsupport and 1,036 convictions for flagrant nonsupport for that thirteen month period.

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

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

Data Source(s): LRC staff; Administrative Office of the Courts; Scott County Jailer

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 2/28/20