

another with detention or investigation by law enforcement authorities, without reason to suspect a violation of the penal code, threat of imminent harm to person or property, or other circumstance which merits law enforcement response. **Section 3** would define “public safety answering point” to mean a facility with the responsibility to receive 911 calls and dispatch public safety services, or to relay 911 calls to public safety agencies.

There is a slight chance for an increase in convictions for the expansion of Section 4 (1)(e) due to contacting law enforcement without any reason to suspect a violation of the penal code, threat of imminent harm to person or property, or other circumstances which merits law enforcement response. The bill may have a very minimal fiscal impact on local jails or law enforcement with the expansion of the Class A misdemeanor provision.

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 an average cost to incarcerate of \$37.35 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$37.35 per day.

The Kentucky League of Cities (KLC) believes that portion of HB 248 providing for recovery of punitive damages by a victim of a civil rights violation has the **potential for significant negative fiscal impact on cities**. It is not known how often cities are sued for alleged civil rights violations, but KLC believes the number of such lawsuits would increase if recovery for punitive damages is a possibility. In that event, while cities’ liability insurance would likely cover punitive damages, a city’s liability insurance premium would likely increase, or their insurer may drop coverage altogether.

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

Part II relates to HB 248 as introduced. There is no prior version for comparison.

Data Source(s): Kentucky League of Cities; Kentucky Department of Corrections

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