

bill because of the increased threshold amount of \$2,500. It may also be that *more* people will be charged with nonsupport (a Class A misdemeanor) as the threshold amount of arrearage increases (below \$2,500).

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.

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 average cost to incarcerate of \$37.35, which includes the \$31.34 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 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

HB 402 SCS 1 keeps the provisions of HB 402 GA, except changes the amount of arrearage from \$5,000 to \$2,500 in order to be charged with flagrant nonsupport.

HB 402 GA keeps the provisions of HB 402 HCS 1, except it returns the amount of arrearage to \$5,000 necessary to be charged with flagrant nonsupport.

HB 402 HCS 1 keeps the provisions of HB 402 as introduced except for reducing the amount of arrearage from \$5,000 to \$2,500 in order to be charged with flagrant nonsupport.

Data Source(s): LRC Staff.

Preparer: Wendell F. Butler **Reviewer:** KHC **Date:** 3/5/21