Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 1817						
Bill #: HB 547						
Document ID #: 4798						
Bill Subject/Title: AN ACT relating to the false reporting of claims of abuse.						
Sponsor: Representative Jason Nemes						
Unit of Government:xCityxCountyxUrban-CountyxCharter CountyxConsolidated LocalxGovernment						
Office(s) Impacted: Local peace officers, law enforcement offices, courts and jails						
Requirement: <u>x</u> Mandatory Optional						
Effect on Powers & Duties: <u>x</u> Modifies Existing <u>x</u> Adds New Eliminates Existing Part II: Bill Provisions and the Estimated Fiscal Impact Palating to Local						

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

The fiscal impact of HB 547 is indeterminate and minimal.

HB 547 amends KRS 403.270 to add false reporting of claims of domestic violence or abuse or sexual assault towards another party, or de facto custodian, to the list of factors a court must consider when making a custody determination. The Act amends KRS 519.040 (false reporting) to prohibit false or baseless claims and reports of domestic violence or abuse or sexual assault to any law enforcement officer, officer of the court, or government agency officer. Such false or baseless claims and reports are Class A misdemeanor offenses. The **costs associated with Class A misdemeanor incarcerations are described below**:

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.

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

The Part II Section above pertains to the bill as introduced.

Data Source(s):	Kentucky Department of Corrections; Kentucky Sheriffs Association				
	Kentucky Association of Chiefs of Police; Kentucky Jailers association				

Preparer:	H Marks	Reviewer:	KHC	Date:	2/23/21
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