



entering the contract, the jailer must provide the fiscal court (or in the case of regional jails, to all fiscal courts that are a party to the regional jail) a written report that includes the following:

- a description of services provided;
- total contract value including a list of all infrastructure and equipment
- cost of services
- the value of any grant, signing bonus, labor reimbursement, complimentary pre-paid calling cards, or other offers of monetary value that would add to the contract value including anything that would negate the cost;
- the amount of money to be paid to the jail by the inmate, or the percent commission paid monthly to the jail from the profits of the provider of the telecom service generated by inmate use of the services.

The jailer shall keep a separate account of all moneys received or disbursed related to the telecom service.

SB 187 requires the jailer to make quarterly reports to the fiscal court(s) containing the total amount of money paid to the provider by service used, the total amount received from the provider including any grant, signing bonus, labor reimbursement, complimentary pre-paid calling cards, or other offers of monetary value that would add to the contract value including anything that would negate the cost, and the total number of utilization events by type of use including the length, if length constitutes a billable unit.

All expenses, revenues, and provision of items of value related to the provision of the telecom service is subject to audit. The fiscal court(s) including those with jails that operate under contract to house prisoners from another jail or who participate in a regional jail may request audits. The audits may be performed by the Auditor of Public Accounts (APA) or an independent certified public accountant if the APA declines.

The provider shall be contractually obligated to provide the data required for fulfillment of the contract to the jailer and any other public official involved in administering the contract.

All provision herein shall also apply to local governments that operate metropolitan correctional services departments and correctional services established in any county containing an urban-county government in which the offices of sheriff and jailer have been consolidated (KRS 67A.028).

**The fiscal impact of SB 187 to local governments is indeterminable but is expected to be minimal to moderate.** Telecommunication services on some level are already available for inmates, many presumable under a contract agreement with a provider. There may be service limitations due to availability in some parts of Kentucky. This bill makes the jailer fiscally responsible to the fiscal court for administering the program and all cost / revenue associated with the program. Any commissions derived from the profits as generated by inmate use would be a negotiable item in the bid process.

The Kentucky Jailer's Association has been contacted for input. As of the date of the Local Government Mandate Statement, a response has not been received. When that response is received, this statement will be updated accordingly.

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

Part II refers to SB 187 as introduced.

**Data Source(s):** LRC Staff

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