Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

Part I: Measure Information

Bill Request #: 1077
Bill #: SB 222 GA
Document ID #: 6455
Bill Subject/Title: AN ACT relating to first responders.
Sponsor: Senator Jared Carpenter
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: jails; law enforcement
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

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

SB 222 GA would create the crime of unauthorized capture of photographic or videographic images by a first responder while serving in the line of duty or under color of authority, for any purpose other than an official purpose related to his or her job duties. The bill defines "first responder" to mean: coroners or certified deputy coroners; local emergency management directors; firefighters; emergency medical services personnel; peace officers; and rescue service personnel. Violation of SB 222 GA would be a Class A misdemeanor, punishable by a fine of \$500 - \$2500; forfeiture of the device containing the photograph or video; and suspension of the first responder's professional certification for a period of 6 months – 1 year.

Since it is not possible to determine the number of first responders who would violate the provisions of SB 222 GA, the fiscal impact of SB 222 GA on local governments is indeterminable, but likely to be minimal to moderate. Fiscal impact would depend in part on whether the local government would need to hire and train a replacement, on the level of responsibility the person had, and other factors.

The bill does not address incarceration; however, 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. One defendant sentenced to six months' incarceration would cost a local jail approximately \$6,723.00 (six months = 180 days x \$37.35/day = \$6,723.00). While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$37.35 per day.

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

Part II, above, pertains to the GA version. The GA version is the same as the bill as introduced. No amendments or substitutes were adopted when the bill passed its chamber of origin.

Data Source	ee(s): Department of Co	orrections; Hen	ry County Coroner		
Preparer:	Mary Stephens	Reviewer:	KHC	Date:	3/4/21