

There are no official statistics relating to the number of Kentucky abortions resulting in infants born alive. According to The Annenberg Public Policy Center of the University of Pennsylvania, six states require data reporting on abortions that result in infants born alive. Of those, Arizona reported the highest number with 12 out of 12,438 abortions in 2018. (Lozier Institute)

The Administrative Office of the Courts reports that there has been one prosecution related to Kentucky's abortion laws since 2017, with none in 2020. The prosecution related to discrimination for refusal to submit to an abortion (KRS 311.810), and the ultimate disposition was a "not guilty" finding on an amended charge.

SB 9 would have minimal fiscal impact on local government. SB 9 establishes two new Class D felonies, which would require some additional training for law enforcement, and there would be increased demands on work load for law enforcement, jails, and county attorneys associated with local the number of arrests, prosecutions, and incarcerations. However, the number of persons who would violate the law, if similar to the number of people who violate current abortion laws, would be very few.

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

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(s): <https://lozierinstitute.org/abortion-reporting-arizona-2018/>; Administrative Office of the Courts; Department of Corrections; LRC staff

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