## Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

**Part I: Measure Information** 

Bill Request #:990
Bill #:HB 216 GA
<b>Document ID #:</b> <u>8622</u>
Bill Subject/Title: AN ACT relating to crimes and punishments.
Sponsor: Representative William Lawrence
Unit of Government: X City X County Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Jails
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing

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

HB 216 expands the crime of terroristic threatening, a Class C felony, to include intentionally making false statements regarding placing a weapon of mass destruction on land or a building owned or leased by a domestic violence shelter. However, a person shall not be guilty of an offense if he or she communicates a threat made by another person to domestic violence shelter personnel if he or she believes the threat to be true.

The fiscal impact of HB 216 on local governments is expected to be minimal. Such events are rare.

When a court denies bail to a Class C felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 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 \$35.43, which includes the \$31.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Class C felons are

ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$31.34 per day to house these Class C felons. 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 refers to HB 216 GA version. The GA version of HB 216 is the same as the bill as introduced. HB 216 passed its chamber of origin without amendments or substitutes.

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

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