

victim of the crime or by a family member of the crime victim without the knowledge and consent of the victim or family member.

The legislation also provides exceptions for devices for navigation, weather, traffic information, and subscription services for emergency assistance, diagnostic, or missing vehicles. A tracking device by the parent or guardian of a minor on any vehicle owned or leased by the parent or guardian or minor operated by that minor is permitted as is any tracking device used by a police officer while lawfully performing their duties as a police officer.

The fiscal impact of this legislation is indeterminable. As this is a new Class A misdemeanor, there is no history of crimes committed for violation of this act. The likelihood of prosecution for a violation of this measure is expected to be low.

Local governments are responsible for the cost of incarcerating individuals charged with Class A misdemeanors until disposition of the case. A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 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 \$35.43 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 \$35.43 per day.

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

Part II, above, pertains to the bill as introduced.

Data Source(s): KY Department of Corrections, LRC Staff

Preparer: MJO/KLS **Reviewer:** KHC **Date:** 3/2/22