Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

Part I: Measure Information

Bill Request #: 1284	4		
Bill #: SB 101 GA			
Document ID #: 455	52		
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	
Office(s) Impacted: Jails, Law enforcement, First Responders			
Requirement: X	Mandatory Opt	ional	
Effect on Powers & Duties:	Modifies Existing	Adds New E	liminates Existing

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

This legislation establishes a new Class A misdemeanor offense for the unauthorized capture of photo or video images by a first responder for any purpose other than an official purpose related to his or her official duties. Violation of this bill would be a Class A misdemeanor, punishable by a fine of \$500 - \$2,500; seizure and forfeiture of the device; and suspension of professional certification for six (6) months to one (1) year. Overall, there are likely to be few convictions for this offense. As such, the impact from this legislation is expected to be minimal.

Since it is not possible to determine the number of first responders who would violate the provisions of this measure, the fiscal impact 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.

Misdemeanors are subject to the jurisdiction and cost of the county.

Class A misdemeanors:

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 SB 101 GA. There were no changes to the original bill. The fiscal impact remains unchanged from the original impact statement.

Data Source(s): <u>KY Department of Corrections, LRC Staff</u>

Preparer: MJO/KLS Reviewer: KHC Date: 2/10/22