

This bill will have a positive impact on local jails. Currently, persons charged with a felony offense are housed in local jails until adjudication and local government must pay all costs associated with the incarceration until the case is disposed. This measure will rebate to the local jail the per diem amount for the time period described above.

The fiscal impact on local jails is indeterminable but could be positively moderate to high, dependent on the number of convicted felons sentenced, in part or in whole, to time served as well as the length of time the inmate was house before he or she was adjudicated.

Class D and Class C felons:

When a court denies bail to a Class D or 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. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. 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 a jail \$31.34 per day to house a Class D and Class C 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 bill as introduced.

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

Preparer: MJO (wfb) **Reviewer:** KHC **Date:** 1/12/22