

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2023 Regular Session**

**Part I: Measure Information**

**Bill Request #:** 834

**Bill #:** HB 103 GA

**Document ID #:** 5618

**Bill Subject/Title:** AN ACT relating to the torture of dog a dog and cat.

**Sponsor:** Representative Ryan Dotson

Unit of Government:  City  County  Urban-County  
Unified Local  
 Charter County  Consolidated Local  Government

Office(s) Impacted: Local jails

Requirement:  Mandatory  Optional

Effect on  
Powers & Duties:  Modifies Existing  Adds New  Eliminates Existing

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

HB 103 GA amends KRS 525.135 to expand and clarify the definition of torture of a dog or cat and increases the punishment for the first offense from a Class A misdemeanor to a Class D felony; each subsequent offense remains a Class D felony. The bill further stipulates that each act of torture may be charged as a separate offense.

**The fiscal impact of HB 103 GA is indeterminate, but expected to be minimal.**

This legislation will increase the overall number of offenders convicted under KRS 525.135 of a Class D felony. While it is not possible to estimate the number of future convictions, it is expected to be minimal since the Administrative Offices of the Courts stated that in FY 2022 there were 7 cases resulting in 9 charges convictions under KRS 525.135.

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 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 \$40.11, which includes the \$35.34 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 \$35.34 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**

**HB 103 GA:** No additional changes were made to this legislation after adoption of the House Committee Substitute.

**HB 103 HCS 1:** This house committee substitute amends KRS 525.135 to expand and clarify the definitions of torture, serious physical injury or infirmity, and physical infirmity. These changes do not affect the findings discussed above regarding the fiscal impact this legislation would have on local governments.

**Data Source(s):** LRC Staff; Administrative Office of the Courts; Kentucky Department of Corrections

**Preparer:** Chris Hall (WB)      **Reviewer:** KHC      **Date:** 3/16/23