



Including assault on electronic detection dogs and police dogs might increase the number of people charged and convicted of a Class D felony.

**Class D felons:**

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.

The Administrative Offices of the Court did provide that there were a total of 6 charges and court cases under current law in district courts, all referred to their respective circuit courts for 2020, 2021, and 2022. The number will probably increase as a result of adding electronic detection dogs and police dogs to the definition of service animal but remain minimal.

In 2022, there were 25 law enforcement dogs killed in the line of duty nation-wide of which two occurred in Kentucky.

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

Part II refers to HB 115 HCS 1 and makes the following changes to HB 115 as introduced:

- Amends the definition of “police dog” by citing KRS 61.298.
- Removes all language regarding protecting one’s self from a service dog.
- Removes language regarding citing this Act as Bo’s Law

**Data Source(s):** LRC Staff,  
Administrative Offices of the Court,  
<https://www.odmp.org/search/k9year/2022>, Officers Down Memorial Page  
(Honoring K9s Killed in 2022), Kentucky Department of Corrections

**Preparer:** WB (CH) **Reviewer:** KHC **Date:** 3/2/23