

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

Part I: Measure Information

Bill Request #: 989

Bill #: HB118

Document ID #: 1666

Bill Subject/Title: AN ACT relating to concealed deadly weapons.

Sponsor: Representative Savannah Maddox

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

Office(s) Impacted: _____

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 118 amends KRS 237.109 to lower the age requirement for carrying a concealed and deadly weapon from 21 to 18, and KRS 237.110 to conform.

The fiscal impact to local government is indeterminable, but it could to be a minimal cost savings.

By increasing the pool of possible people who can obtain a permit to conceal carry (i.e., including 18, 19, and 20 year olds), the provisions of this legislation could theoretically decrease the number of people who are convicted of carrying a concealed deadly weapon. Under KRS 527.020, carrying a concealed weapon is a Class A misdemeanor, unless the defendant has been previously convicted of a felony in which a deadly weapon was possessed, used, or displayed, in which case it is a Class D felony.

Class A misdemeanor: 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 \$40.11 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 \$40.11 per day.

Class D felony: 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

Part II above is based on HB 118 as it was introduced. There are no earlier versions for comparison.

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

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