

CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # HB 138 Introduced BR # 990 DOC ID #: xxxx

BILL SPONSOR(S): Rep. S. Maddox AMENDMENT SPONSOR(S): . .

TITLE: AN ACT relating to concealed deadly weapons.

SUMMARY OF LEGISLATION: Repeal KRS 237.115, which interprets the application of the license to carry concealed deadly weapon statute as permitting postsecondary facilities, local governments, and units of state government to limit concealed carry in governmental buildings; amend various KRS sections to conform; amend KRS 237.110 to no longer prohibit the carrying of concealed deadly weapons in schools and specify that the prohibition of carrying concealed deadly weapons in airports is limited to areas controlled by TSA; amend KRS 527.070 to add persons with valid licenses to carry concealed deadly weapons to the list of those permitted to possess weapons in schools.

AMENDMENT^{text}

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|---|--|
| <input type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input checked="" type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) . | |
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STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$105.23. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full service or regional jails for up to five (5) years. Department of Corrections' cost to incarcerate a felony inmate in a jail is \$40.11 per day, which includes \$35.34 per diem, medical costs, & central office administrative costs (substance abuse treatment not included).*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

Repealing 237.115 may prevent Department of Corrections from being able to prohibit concealed weapons in the Probation and Parole Offices.

Department of Corrections records currently reflect 17 inmates with felony convictions for Carry Concealed Deadly Weapon. Additionally, there are a total of 29 offenders on felony community supervision under this statute. A modification to the prohibited locations of concealed carry could potentially lead to a decrease in the number of people convicted of carrying a concealed weapon.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. The estimated impact will be based on the \$40.11 cost to incarcerate for the Department of Corrections, including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

There is no fiscal impact to the Department of Corrections (DOC) at the local level.

Repealing 237.115 may prevent Department of Corrections from being able to prohibit concealed weapons in the Probation and Parole Offices.

Department of Corrections records currently reflect 227 offenders on misdemeanor community supervision under this statute. A modification to the prohibited locations of concealed carry could potentially lead to a decrease in the number of people convicted of carrying a concealed weapon.

PROJECTED IMPACT FROM AMENDMENTS:

NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

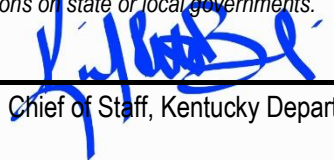
**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population, lengthens the term or incarceration, or impose new obligations on state or local governments.

APPROVED BY:



Chief of Staff, Kentucky Department of Corrections

2/17/2023

Date