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

### **Part I: Measure Information**

Bill Request #: 1076
Bill #:HB 184
<b>Document ID #:</b>
Bill Subject/Title: AN ACT relating to sodomy.
Sponsor: Representatives Stephanie Dietz
Unit of Government: x City x County x Urban-County Unified Local
<u>x</u> Charter County <u>x</u> Consolidated Local <u>x</u> Government  Office(s) Impacted: <u>Jails</u>
Requirement:x Mandatory Optional
Effect on  Powers & Duties: Modifies Existing Adds Newx Eliminates Existing

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

HB 184 removes sodomy in the fourth degree as a sex crime and a Class A misdemeanor by repealing KRS 510.100 and making other conforming changes to KRS 194A.380 and KRS 532.031.

### HB 184 is expected to have minimal impact on local governments.

The provisions of HB 184 would decrease the number of individuals jailed on a conviction of sodomy in the fourth degree, which would be a cost savings to local governments. However, it cannot be determined with certainty how many individuals who participate in sodomy will avoid jail by repealing KRS 510.100. Data from the Administrative Office of the Courts indicated that there were no convictions under KRS 510.100 in FY 2022.

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.

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

Part II is for HB 184 as introduced. No previous versions are available for comparison

**Data Source(s):** LRS Staff, Administrative Office of the Courts; Dept. of Corrections

Preparer: CTH (MS) Reviewer: KHC Date: 2/15/23