Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 1407			
Bill #: HB 314			
Document ID #: 3374			
Bill Subject/Title: AN ACT relating to intimidation of a sports official.			
Sponsor: Representative David Hale			
_		X County	X Urban-County Unified Local
-	X Charter County	X Consolidated Local	X Government
Office(s) Impacted:	Law Enforcement, Lo	cal Jails	
Requirement: X	Mandatory Opti	onal	
Effect on Powers & Duties:	Modifies Existing	X Adds New El	iminates Existing

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

HB 314 creates a new section of KRS Chapter 518. HB 314 provides that a person is guilty of intimidating a sports official when he or she threatens a sports official in an effort to commit, make, or delay any act, decision, or determination regarding a present or future sports contest. Such threats include communicating the intent to:

- Cause physical injury to the official;
- Cause physical damage to the property of the official;
- Physically confine or restrain the official; or
- Any other illegal act intended to harm the official's health, safety, or business/financial interest.

Intimidation of a sport's official will be a Class A misdemeanor.

The fiscal impact of HB 314 on local governments is expected to be minimal.

KRS 518.090 currently addresses the actual physical assault of a sports official. For reference, statistics received form the Administrative Office of the Courts show there were only 7 cases of assault on a sports official, 1st offense, from 1/1/2017 thru 12/7/2021. Whereas HB 314 addresses *the threat* of an assault or any other illegal activity, thus lowering the threshold for determining if a crime has been committed, the number of crimes committed under this new section might be slightly more.

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 most 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 refers to HB 314 as introduced. There are no prior versions.

Data Source(s):LRC Staff, Department of Corrections, Administrative Office of the CourtsPreparer:WB (RB)Reviewer:KHCDate:2/21/23