

The fiscal impact of HB 78 GA on local governments is expected to be minimal. Current law already provides for these crimes. The elements of the crime have been expanded as detailed above.

For the years 2019, 2020, and 2021, there were 96, 54, and 36, respectively, charges resulting in convictions for incest-related crimes in the state. Additionally, for the years 2019, 2020, and 2021, there were 129, 65, and 96, respectively, charges resulting in convictions for rape and sodomy-related crimes in the state. *These numbers do not represent the number of cases since there may be multiple charges per case.*

There may be minimal cost in educating local law enforcement officers as to the change in law, but should be easily absorbed in current training.

Class A and B felons are not housed in local jails. Class C felons are eligible to be housed in local jails under the following circumstances:

When a court denies bail to a Class C 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. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays a jail \$35.34 per day to house a Class C 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 refers to HB 78 GA. There were no changes from HB 78 as introduced.

Data Source(s): LRC Staff; Administrative Office of the Courts; Kentucky Department of Corrections

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