Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 925
Bill #: SB 199 HCS 1
Document ID #: _6389
Bill Subject/Title: AN ACT relating to crimes and punishments.
Sponsor: Senator Rick Girdler
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: Local jails
Requirement:x Mandatory Optional
Effect on Powers & Duties: Modifies Existingx Adds New Eliminates Existing

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

SB 199 HCS 1 creates a new section of KRS Chapter 508 that defines "tracking device" and other relevant terms; makes it a Class A misdemeanor to use a tracking device; and provides a list of circumstances in which it would be lawful to use a tracking device. The bill also amends KRS 189A.105 to require a qualified medical professional to withdraw a blood sample when directed by a peace officer who is acting pursuant to a search warrant or other court order; to make the medical professional and the facility where the sample is drawn not criminally or civilly liable for taking the blood sample.

The fiscal impact of SB 199 HCS 1 is indeterminable, but the provisions of this bill could increase costs to local jails.

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 are 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

SB 199 HCS 1: The analysis presented above in Part II is based on SB 199 HCS 1. This committee substitute adds language regarding the drawing of blood pursuant to a court order and clarified a few definitions.

SB 199 GA: The GA version was the same as the introduced bill.

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

Preparer: CTH (MS) Reviewer: KHC Date: 3/15/23