

SB 229 HCS 1 would have a minimal negative fiscal impact on local jails and law enforcement due to codification of a new Class A misdemeanor. From CY 2018 through CY 2022 there was a combined total of 57 convictions for violation of KRS 620.030 for failure to report child dependency, neglect, or abuse, first offense, at the district and circuit court levels. Based on that number, it is not anticipated that there would be many criminal convictions for knowing intimidation, retaliation, or obstruction of an investigation of a report of child dependency, neglect, or abuse. However, each conviction has the potential to increase the number of persons incarcerated in 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 do not will also cost local jails an average of \$40.11 per day. At a cost of \$40.11 per day, the cost to a local jail for each person incarcerated for knowingly interfering, retaliating, or obstructing a report of child dependence, neglect, or abuse would range from \$3,609.90 (\$40.11/day x 90 days) to \$14,439.60 (\$40.11/day x 360 days).

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

Part II refers to SB 229 HCS 1. The HCS 1 version of SB 229 adds a section amending KRS 69.210 to stipulate that attorneys for the Cabinet for Health and Family Services may be involved with the prosecution of any case under KRS Chapter 620 upon written notice to the county attorney and judge of the District Court or family division of the Circuit Court. The HCS 1 version makes some minor additional changes in language but is otherwise substantially the same as the introduced version and the changes do not impact the original local mandate analysis.

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

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