

CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # SB 274 Introduced BR # 1502 DOC ID #: xxxx

BILL SPONSOR(S): Sen. Westerfield AMENDMENT SPONSOR(S): .

TITLE: AN ACT relating to the behavioral health conditional dismissal program.

SUMMARY OF LEGISLATION: Amend KRS 533.282 to establish that program services may be performed by the program provider directly or in conjunction with other treatment providers; establish additional accreditation methods for treatment providers and recovery housing service providers; amend KRS 533.288 to add the executive director of the Office of Adult Education as a member of the Behavioral Health Conditional Dismissal Program Implementation Council.

AMENDMENT: .

This ☒ bill ☐ amendment ☐ committee substitute is expected to:

☐ Have the following Corrections impact ☒ Have no Corrections impact

- | | |
|----------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input type="checkbox"/> Otherwise impacts incarceration (Explain) . | |

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$105.23. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full service or regional jails for up to five (5) years. Department of Corrections' cost to incarcerate a felony inmate in a jail is \$40.11 per day, which includes \$35.34 per diem, medical costs, & central office administrative costs (substance abuse treatment not included).*

Projected Impact: ☒ NONE ☐ MINIMAL to MODERATE (< \$1 million) ☐ SIGNIFICANT (> \$1 million)

This legislation has no impact to the Department of Corrections at the state level

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. The estimated impact will be based on the \$40.11 cost to incarcerate for the Department of Corrections, including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

Projected Impact: ☒ NONE ☐ MINIMAL to MODERATE (< \$1 million) ☐ SIGNIFICANT (> \$1 million)

This legislation has no impact to the Department of Corrections at the state level

PROJECTED IMPACT FROM AMENDMENTS:

☐ NONE ☐ MINIMAL to MODERATE (< \$1 million) ☐ SIGNIFICANT (> \$1 million)

**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

The following offices contributed to this Corrections Impact Statement:

☒ Dept. of Corrections ☐ Dept. of Kentucky State Police ☐ Administrative Office of the Courts ☐ Parole Board ☐ Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population, lengthens the term or incarceration, or impose new obligations on state or local governments.

APPROVED BY:

A handwritten signature in blue ink, appearing to be "V. J. B. S.", is written over a horizontal line.

Chief of Staff, Kentucky Department of Corrections

3/2/2023

Date