

CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # SB 62 GA BR # 317 DOC ID #: xxxx

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

TITLE: AN ACT relating to privacy.

SUMMARY OF LEGISLATION: Create new sections of KRS Chapter 61 to define terms; prohibit a public agency from requiring an individual or nonprofit organization to compel the release of personal information, release personal information in possession of the agency, or require a contractor or grantee with the public agency to provide a list of nonprofit organizations to which it provides financial support; create exceptions; create penalties; and include a severability clause. Retain the original provisions; add in Section 3 an exemption for disclosures, reports, or investigations pursuant to KRS 6.601 to 6.849 or KRS Chapter 11A, except that such information shall only be used in connection with the specific disclosures, reports, or investigations and for any related proceedings; add an exemption for review work conducted pursuant to KRS Chapter 43 by the Office of the Auditor of Public Accounts.

AMENDMENT: Retain the original provisions; add in Section 3 an exemption for disclosures, reports, or investigations pursuant to KRS 6.601 to 6.849 or KRS Chapter 11A, except that such information shall only be used in connection with the specific disclosures, reports, or investigations and for any related proceedings; add an exemption for review work conducted pursuant to KRS Chapter 43 by the Office of the Auditor of Public Accounts.

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) . | |
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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)

There is 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)

Establishing new misdemeanor offenses would impact the number of offenders potentially housed in county jail. Misdemeanors as established under this legislation would be subject to the jurisdiction and cost of the county. Overall, the number of offenders expected to be generated under this legislation would likely be very minimal

PROJECTED IMPACT FROM AMENDMENTS:

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

The committee substitute will have no impact on the Department of Corrections.

**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:



Chief of Staff, Kentucky Department of Corrections

3/2/2023

Date