

# CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # SB 73 Introduced BR # 1103 DOC ID #: xxxx

BILL SPONSOR(S): Sen. D. Yates

AMENDMENT SPONSOR(S): . .

TITLE: AN ACT relating to wagering and making an appropriation therefor.

**SUMMARY OF LEGISLATION:** Establish KRS Chapter 239 and create new sections to define terms related to online poker and fantasy contests; establish requirements for registration as a fantasy contest operator; require the Public Protection Cabinet to promulgate administrative regulations for the operation of fantasy contests; establish the wagering administration fund and direct the uses of that fund; require an annual audit of fantasy contest registrants; establish requirements for fantasy contest procedures; require any person offering online poker to have a license from the cabinet and require the cabinet to promulgate administrative regulations prescribing requirements for licensure including geolocation software, age verification, and security and accounting standards

## AMENDMENT<sup>text</sup>

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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 checked="" 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)

Establishing new felony and misdemeanor offenses would impact the number of offenders potentially incarcerated and/or placed on supervision. Offenders convicted of the new Class C felony established in this bill may be eligible for housing in a jail dependent on other convictions and prior record. DOC doesn't anticipate many new convictions for this offense. There are not any inmates currently in custody for gambling related offenses. There are 9 offenders currently on supervision for gambling related offenses.

**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 felony and misdemeanor offenses would impact the number of offenders potentially incarcerated and/or placed on supervision. Offenders convicted of the new Class C felony established in this bill may be eligible for housing in a jail dependent on other convictions and prior record. DOC doesn't anticipate many new convictions for this offense. There are not any inmates currently in custody for gambling related offenses. There are 9 offenders currently on supervision for gambling related offenses.

## PROJECTED IMPACT FROM AMENDMENTS:

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

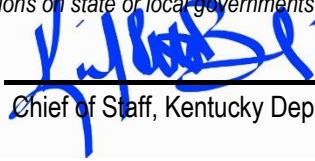
*\*All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers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



Chief of Staff, Kentucky Department of Corrections

**2/17/2023**

Date