

CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # SB 80 GA BR # 395 DOC ID #: xxx

BILL SPONSOR(S): Sen. D.Carroll AMENDMENT SPONSOR(S): . .

TITLE: AN ACT relating to public safety.

SUMMARY OF LEGISLATION: Amend KRS 17.545 to prohibit a registered sex offender from loitering within 1,000 feet of the clearly defined grounds of a school, playground, or day care; amend KRS 508.025 to include healthcare providers working in an emergency room to the list of protected workers for the offense of assault in the third degree.

AMENDMENTSCS 1 - Retain original provisions; add publicly owned or leased swimming pools and splash pads to the list of locations where a sex offender is prohibited from loitering within 1,000 feet of the clearly defined grounds; define "loiter."

SCA 1: Retain original provisions; add that a registrant shall not work as the sole operator or occupant of any mobile business within 1,000 feet of the clearly defined grounds of various locations; define "mobile business."

SFA 1: Retain original provisions; add that a registrant shall not work in or operate any mobile business within 1,000 feet of the clearly defined grounds of various locations; define "mobile business;" working in or operating a mobile business within 1,000 feet of the clearly defined grounds of various locations shall not operate retroactively

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 checked="" type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input checked="" 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)

The creation of additional restrictions could result in the increase revocation of sex offenders on supervision and/or the violation of Sex Offender Registration. Probation and Parole officers will have to enforce the 1,000 ft loitering rule with supervised sex offenders.

Establishing new felony and misdemeanor offenses would impact the number of offenders potentially incarcerated and/or placed on supervision. The expansion of the scope of protected workers could increase the number of offenders convicted of this offense.

C felony may or may not remain in a county jail with DOC responsible for the per diem. DOC does not anticipate many convictions.

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)

The creation of additional restrictions could result in an increase in arrest of sex offenders on supervision. Probation and Parole officers will have to enforce the 1000ft loitering rule with supervised sex offenders.

Establishing new felony and misdemeanor offenses would impact the number of offenders potentially housed in county jails. The expansion of the scope of protected workers could increase the number of offenders convicted of this offense. A Class D will remain in the county jail with DOC responsible for the per diem. DOC does not anticipate many convictions.

PROJECTED IMPACT FROM AMENDMENTS:

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

The impact of the amendment SCS 1, regarding splash pads, will have minimal additional impact. The creation of additional restrictions could result in an increase in arrest of sex offenders on supervision.

The impact of the amendment SFA 1, regarding mobile business, will have minimal additional impact. The creation of additional restrictions could result in an increase in arrest of sex offenders on supervision.

**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