Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1412
Bill #: HB 270
Document ID #: <u>3313</u>
Bill Title: AN ACT relating to crimes and punishments.
Sponsor: Representative Nick Wilson
Unit of Government: X City X County M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M M
X Charter County X Consolidated Local X Government
Office(s) Impacted: Law Enforcement, Jails
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX_ Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 270 creates a new section of KRS section 510, which makes it unlawful for any person to travel into the commonwealth with the intent to engage in rape, sodomy, sexual abuse, human trafficking involving commercial activity, illegal sexual activity with a minor, pornography, or sexual exploitation of a minor. The penalty for travelling into the commonwealth with the intent to engage in these activities is a Class D felony. A person cannot be found guilty of this offense and criminal attempt, criminal solicitation, criminal conspiracy, or criminal facilitation in the commission of the same offense with the same person.

The expected fiscal impact of this bill is undeterminable because the number of expected offenders cannot be estimated, but it is likely to be negative because it creates a new class of Class D felony.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of

Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$44.97, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): LRC Staff; Kentucky State Police; Department of Corrections

Preparer: Bart Liguori (RB) Reviewer: KHC Date: 1/18/2
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