

# CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 287 Introduced. BR #:1394

BILL SPONSOR(S): Rep. B. Chester-Burton AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to risk protection orders.

**SUMMARY OF LEGISLATION:** Create a new section of KRS Chapter 237 to define terms; allow enumerated persons to petition a District Court to issue an order prohibiting a person from purchasing, possessing, or receiving a firearm if the person is or has been diagnosed with or treated for a mental condition that causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm; establish that a violation of an order is a Class A misdemeanor; amend KRS 237.104 to conform.

## AMENDMENT:

This  bill  amendment  committee substitute is expected to:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> <b>Have the following Corrections impact</b> | <input type="checkbox"/> <b>Have no Corrections impact.</b>      |
| <input checked="" 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 the 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 \$116.93. 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 jail is \$44.97 per day, which includes \$35.34 per diem, medical costs, and central office administrative costs (substance abuse treatment not included).\*

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

There is no impact 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 the disposition of the case. The estimated impact will be based on the \$44.97 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 will impact the local jail population by the creation of a new misdemeanor offense. Counties are fiscally responsible for the cost of incarcerating all misdemeanants.

A Class A misdemeanor is 90 days to 1 year in jail. One (1) Class A misdemeanor: \$4,047.30 to \$16,414.05.

**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, lengthen the term of incarceration, or impose new obligations on state or local governments.



APPROVED BY: \_\_\_\_\_

Chief of Staff, Kentucky Department of Corrections

1/24/2024

Date