

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 3 GA BR #: 2149

BILL SPONSOR(S): Rep. S. Miles, M. Lockett, D. Meade , J. Nemes, D. Osborne, S. Rudy

AMENDMENT SPONSOR(S): Rep. Herron

TITLE: AN ACT relating to human trafficking.

SUMMARY OF LEGISLATION: Amend KRS 529.110 to expand the definition of promoting human trafficking; create a new section of KRS Chapter 15 to permit the Attorney General to establish a working group to study and discuss human trafficking in the Commonwealth; amend KRS 15.706 to include forced labor in reporting data on human trafficking from the Prosecutors Advisory Council; amend KRS 620.029 to require the Cabinet for Health and Family Services to include additional information regarding human trafficking in its the annual report to the Legislative Research Commission; create a new section of KRS Chapter 219 to require hotels to post signs or window clings containing contact information for assistance for victims of human trafficking, establish penalties for noncompliance, require penalties to be paid to the human trafficking victims fund; amend KRS 176.415 to require the Department of Highways to post signs or window clings containing contact information for assistance for victims of human trafficking; amend KRS 183.075 to require airports to post signs or window clings containing contact information for assistance for victims of human trafficking, establish penalties for noncompliance, require penalties to be paid to the human trafficking victims fund; amend KRS 277.410 to require passenger train stations to post signs or window clings containing contact information for assistance for victims of human trafficking, establish penalties for noncompliance, require penalties to be paid to the human trafficking victims fund; amend KRS 281.767 to require truck stops and bus stations to post signs or window clings containing contact information for assistance for victims of human trafficking, establish penalties for noncompliance, require penalties to be paid to the human trafficking victims fund; amend KRS 529.140 to conform.

AMENDMENT: HFA 1/GA: Retain original provisions, except to change membership of Attorney General Working Group, make additions to focus of working group, change reporting.

This bill amendment committee substitute is expected to:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Have the following Corrections impact | <input type="checkbox"/> Have no Corrections impact. |
| <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 checked="" 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)

The legislation would likely have a minimal impact on operational costs by expanding the definition of Promoting Human Trafficking which is a Class D felony unless the victim is under 18 in which it is a Class C felony. The necessary appropriations associated with the costs estimated in this corrections impact statement require a continuation of current service funding for adult correctional institutions.

Class D felons are housed in a county jail and DOC pays counties a per diem for housing those inmates. A Class D Felony sentence is 1 to 5 years. One (1) Class D Felon costs KY \$16,414.05 to \$82,070.25.

Class C felons may still be able to serve their time in a county jail, but only if community custody. A Class C Felony sentence is 5 to 10 years. One (1) Class C Felon costs KY \$213,397.25 to \$426,794.50.

There are currently 3 inmates in custody and 3 offenders on supervision for Promoting Human Trafficking.

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.*

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PROJECTED IMPACT FROM AMENDMENTS: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

HFA 1/GA: The floor amendment would have no additional impact.

**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

3/19/2024

Date