

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 428 Introduced. BR #: 107

BILL SPONSOR(S): Rep. L. Burke, C. Aull, A. Camuel, D. Grossberg, R. Roberts

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to reproductive privacy.

SUMMARY OF LEGISLATION: Create new sections of KRS Chapter 311 to establish reproductive rights and define terms; amend KRS 18A.225 to remove the prohibition of insurance coverage for abortion; amend KRS 39A.180 to allow the Governor to suspend statutes related to abortion during a declared emergency; amend KRS 156.496 to allow a school district to operate a family resource center that provides abortion counseling; amend KRS 205.010 to permit financial aid for an abortion; amend KRS 205.510 to include abortions or induced miscarriages as medical care; amend KRS 205.560 to allow medical aid payments for abortion; amend KRS 211.603 to allow money in the rape crisis trust fund to be used for abortion services or education; amend KRS 212.275 to allow health departments to dispense medication for an abortion; amend KRS 213.101 to remove various reporting requirements; amend various sections to remove penalties associated with performing abortions; amend various sections to conform; repeal, reenact, and amend or repeal and reenact KRS 311.783, 311.7710, 311.820, 311.990, 311.780, 311.810, 311.572, 311.591, 311.686, and 311.852 to conform; repeal KRS 15.241, 213.098, 213.172, 213.174, 213.176, 216B.0435, 216B.200, 216B.202, 216B.204, 216B.206, 216B.208, 216B.210, 304.5-160, 311.710, 311.715, 311.720, 311.723, 311.724, 311.725, 311.727, 311.728, 311.731, 311.732, 311.733, 311.735, 311.750, 311.760, 311.765, 311.770, 311.7701, 311.7702, 311.7703, 311.7704, 311.7705, 311.7706, 311.7707, 311.7708, 311.7709,, 311.7711, 311.772, 311.7731, 311.7733, 311.7734, 311.7735, 311.7736, 311.7737, 311.7739, 311.774, 311.7741, 311.7743, 311.781, 311.7811, 311.782, 311.784, 311.7841, 311.785, 311.786, 311.787, 311.790, 311.800, 311.821, 311.822, 311.823, 311.824, 311.825, 311.826, 311.827, 311.830, 311.992, and 315.315; EFFECTIVE, in part, January 1, 2025.

AMENDMENT:

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 type="checkbox"/> Creates new crime(s) | <input checked="" type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input checked="" 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 could be a minimal decrease in operational costs. This legislation removes Class D, C and B felonies. However, there are no inmates in custody and no offenders on supervision for any of the offenses repealed.

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)

There would be minimal decrease to operational costs. This legislation removes several Class A and Class B misdemeanors as well as Class D, C and B felonies. However, there are no inmates in custody and no offenders on supervision for any of the offenses repealed.

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

2/15/2024

Date