

# CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 506 Introduced. BR #: 1861

BILL SPONSOR(S): Rep. S. Rawlings, J. Calloway, J. Gooch Jr., J. Hodgson, C. Massaroni, M. Proctor

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to geoengineering.

**SUMMARY OF LEGISLATION:** Create new sections of Subchapter 1 of KRS Chapter 224 to make findings and declarations regarding the dangers of atmospheric polluting activities and the Commonwealth's authority to prohibit geoengineering; define terms; prohibit geoengineering; require the Department for Environmental Protection to issue a notice to any federal agency that has approved geoengineering activities that those activities cannot be lawfully carried out in the Commonwealth; require the department to prohibit foreign states or international bodies that engage in geoengineering from engaging in any atmospheric activities over the Commonwealth; require the department to publish quarterly notices in newspapers of general circulation and on its website to encourage the public to monitor and report geoengineering activities; allow individuals to submit evidence of geoengineering to the department; require any local or state official to report any information regarding suspected geoengineering activity to the department within 24 hours; require the department to investigate reports of excessive electromagnetic radiation or fields caused by humans; amend KRS 224.99-010 to make knowingly engaging in geoengineering a Class D felony and subject to a civil penalty of not less than \$500,000.

## AMENDMENT:

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This  bill  amendment  committee substitute is expected to:

Have the following Corrections impact

Creates new crime(s)

Increases penalty for existing crime(s)

Increases incarceration

Reduces inmate/offender services

Increases staff time or positions

Changes elements of the offense for existing crime(s)

Otherwise impacts incarceration (Explain):

Have no Corrections impact.

Repeals existing crime(s)

Decreases penalty for existing crime(s)

Decreases incarceration.

Increases inmate/offender services.

Reduces staff time or positions.

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**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 establishing a new Class D 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.

New offenses would need to be added to the Kentucky Offender Management System however, this level of effort would fall under the current maintenance agreement.

**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)

The legislation would likely have a minimal impact on local operational costs by establishing a new Class D felony.

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.

**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

2/27/2024

Date