

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 538 Introduced. BR #: 89

BILL SPONSOR(S): Rep. S. Stalker, L. Burke, A. Camuel, J. Raymond, P. Stevenson

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to pregnancy resource centers.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 216B to define "pregnancy resource center"; require pregnancy resource centers to be licensed; require the Cabinet for Health and Family Services to promulgate administrative regulations to establish licensure standards for pregnancy resource centers; provide that operation or advertisement of a pregnancy resource center without a license is a Class A misdemeanor; provide that a pregnancy resource center's or health care provider's liability is neither limited nor expanded by the licensure requirement; and amend KRS 216B.990 to establish penalties for violations by pregnancy resource centers.

AMENDMENT:

This bill amendment committee substitute is expected to:

- | | |
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| <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 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)

This legislation will have no impact on operational costs 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)

The legislation would likely have a minimal impact at the local level by establishing a new Class A misdemeanor. Misdemeanor offenders are subject to the jurisdiction and cost of the county. A Class A misdemeanor is 90 days to 1 year in jail. One (1) Class A misdemeanant costs \$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

3/6/2024

Date