

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 595

Introduced.

BR #: 1311

BILL SPONSOR(S): Rep. DJ Johnson, K. Bratcher

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to campaign finance and declaring an emergency.

SUMMARY OF LEGISLATION: Amend KRS 13B.020 to remove the Registry of Election Finance from the list of agencies that are exempt from conducting administrative hearings pursuant to that chapter; amend KRS 121.015 to include in the definition of "campaign committee" that persons receiving contributions and making expenditures in support of a candidate or slate of candidates must be authorized to do so; define "independent expenditure-only committee"; include independent expenditure-only committee in the definitions of "permanent committee" and "contributing organization"; define "reasonable cause"; amend KRS 121.140 to increase the maximum penalty per day for violations; require that the Registry shall conduct administrative hearings pursuant to KRS Chapter 13B; amend KRS 121.150 to prohibit independent expenditure-only committees from certain solicitations and contributions regarding religious, charitable, civic, eleemosynary, or other causes or organizations established primarily for the public good; allow campaign funds to be used for the repayment of debt in a previous campaign for the same office; make technical corrections; amend KRS 121.160 to make technical corrections; amend KRS 121.170 to allow a committee campaign treasurer to be a registered voter from any state if the chairperson of the committee is a registered voter in Kentucky; replace the term "federally registered out of state permanent committee" with "federally registered political committee"; make changes to conform to 52 U.S.C. sec 30101(4)(a) and 52 U.S.C. sec. 30118; amend KRS 121.175 to allow members of the General Assembly to use campaign funds for certain legal fees; amend KRS 121.180 to increase the threshold requirement from \$3,000 to \$5,000 for campaign finance reporting requirements; change the amount of campaign funds per event or affair a candidate or slate of candidates can use to purchase admission ticket for, or contribute to another candidate or slate of candidates; establish deadlines by which candidates and slates of candidates shall file the required spending intent form; establish penalty for persons who fail to file the required form; replace the term "unauthorized campaign committee" with "independent expenditure-only committee"; make conforming changes; amend KRS 121.190 to establish additional guidelines for disclaimers in campaign communications; amend KRS 121.230 to establish permissible expenditures for the administrative costs of maintaining a political party headquarters; amend KRS 121.990 to establish penalty for persons who fail to comply with requests from the registry for records for audits; create a Class D felony for persons who knowingly fail to file required forms or knowingly include false information; amend KRS 121.210 to conform; EMERGENCY.

AMENDMENT:

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.

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 and expanding the definition of existing Class D felonies. 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. There are currently no inmates in custody or offenders on supervision for campaign-related offenses.

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.*

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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