

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 65 Introduced. BR #:912

BILL SPONSOR(S): Rep. K. Banta, J. Hodgson, N. Wilson AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to postincarceration supervision.

SUMMARY OF LEGISLATION: Amend KRS 532.043 to provide that a person convicted of a felony attempt to commit a felony offense under KRS Chapter 510 or a felony offense under KRS 531.310 to 531.370 relating to the sexual exploitation of minors, shall be subject to post-incarceration supervision; amend KRS 532.060 to provide that a person convicted of felony attempt to commit a felony offense specified in KRS Chapter 510, a felony offense under KRS 529.100 relating to human trafficking when involving commercial sexual activity, or KRS 531.310 to 531.370 shall be subject to post-incarceration supervision.

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 type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input checked="" 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)

The legislation would likely have a minimal impact to operational costs. The cost to supervise each offender for DOC Division of Probation & Parole is \$4.41/day. An additional 5 years of supervision equates to \$8,048.25 per offender.

Currently, there are 140 inmates in custody and 48 offenders on supervision for Criminal Attempt of offenses under KRS 510, or KRS 531.310 to 531.370.

The legislation adds a period of post-incarceration supervision to these offenders. The increase of offenders on supervision could create additional needs for Probation & Parole in regards to officers, support staff, equipment and leased space.

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)

No impact to local government.

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

1/23/2024

Date