

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 711 Introduced. BR #: 1647

BILL SPONSOR(S): Rep. K. Fleming, J. Gooch Jr., K. Timoney

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to abortion.

SUMMARY OF LEGISLATION: Amend KRS 311.720, 311.7701, and 311.781 to define terms; amend KRS 311.723, 311.725, 311.727, 311.732, 311.7706, 311.772, 311.780, and 311.782 to allow an abortion when the unborn child has a lethal fetal anomaly and delineate additional medical circumstances for the performance of an abortion; allow an abortion when the pregnancy is the result of rape or incest and the abortion occurs no later than six weeks after the first day of the woman's last menstrual period; amend KRS 311.800 to provide for an abortion in a publicly owned hospital under certain circumstances; amend KRS 213.101 to add rape or incest to the reporting requirement; amend KRS 311.760 to conform.

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 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 checked="" 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 provides additional exceptions to circumstances that would otherwise result in a Class D felony.

There are currently no inmates in custody or offenders on supervision for abortion-related offenses.

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)

This legislation provides additional exceptions to circumstances that would otherwise result in a Class D felony.

There are currently no inmates in custody or offenders on supervision for abortion-related offenses.

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

3/7/2024

Date