Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1224
Bill #: HB 739
Document ID #: 6631
Bill Title: AN ACT relating to workplace violence.
Sponsor: Representative Adam Bowling
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Law enforcement; local jails
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 739 creates new sections of KRS Chapter 338 that delineate the procedural requirements and judicial procedures for orders of protection in cases of workplace violence. The bill also introduces provisions for the issuance and duration of orders of protection in cases of workplace violence following a hearing.

Section 8 establishes the legal consequences and procedures regarding the violation of orders of protection. It specifies that breaching the terms or conditions of an order, following service or notice, constitutes both contempt of court and a criminal offense. It defines the offense of violating an order of protection as a Class A misdemeanor, punishable by law.

The fiscal impact of HB 739 on courts, law enforcement agencies, and jails is likely to be negative. Courts may face increased workload and administrative costs due to the implementation of new procedures for handling petitions, scheduling hearings, and issuing protection orders. Additionally, courts will need to establish protocols for

accessing orders of protection, adding to administrative expenses. Law enforcement agencies will incur higher costs related to serving summonses, enforcing protection orders, and responding to violations. This will require additional manpower, training, and resources. Additionally, the bill establishes a Class A misdemeanor. The cost of housing such misdemeanants for local jails is outlined below.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$44.97 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$44.97 per day.

Data Source(s): <u>LRC Staff; Department of Corrections</u>

Preparer: Ryan Brown (BL) **Reviewer:** KHC **Date:** 2/28/24