Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 2280
Bill #: HB 798
Document ID #: 6567
Bill Title: AN ACT relating to weapons on school property.
Sponsor: Representative Nick Wilson
Unit of Government: X City X County X Urban-County X Charter County X Consolidated Local X Government
Office(s) Impacted: Jails.
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

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

HB 798 amends KRS 527.070 to include knives with blades longer than three (3) inches in the types of weapons that are not permitted on school property. Unlawful possession of a weapon on school property is a Class D felony.

Currently, knives with blades longer than three (3) inches may be prohibited on school property as KRS 527.070 prohibits "firearms or other deadly weapons"; however, HB 798 explicitly prohibits them from school property.

The fiscal impact of HB 798 is indeterminable, but likely negligible. KRS 527.070 already prohibits deadly weapons from being carried on school property. Because of the modified definition, it is unknown how many more arrests and convictions there would be for unlawful possession of a weapon on school property. However, each incarceration resulting from this bill would represent a cost to local jails.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$44.97, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

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

Preparer: Bart Liguori (RB) **Reviewer:** KHC **Date:** 2/27/24