

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: HB 833 GA.

BR #:1668

BILL SPONSOR(S): Rep. D. Meade , K. Jackson

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to motor vehicle inspectors.

SUMMARY OF LEGISLATION: Amend KRS 186A.115 to allow sheriffs to appoint up to two individuals at a new or used motor vehicle dealer that makes an average of 100 motor vehicle sales per month for the preceding 12 months as special inspectors solely to complete inspections of motor vehicles to be sold by that dealer; increase fees retained by the sheriff for conducting motor vehicle inspections; require the Transportation Cabinet to promulgate administrative regulations to create an electronic certified vehicle inspection form to electronically input all required information for motor vehicle inspections; exempt certified inspector numbers from open records requests unless required by a court order; amend KRS 186A.990 to add intentionally or willfully divulging a certified inspector number as a Class A misdemeanor and selling a certified inspector number as a Class D felony; amend KRS 70.030 to allow a sheriff to appoint a special inspector solely to perform motor vehicle inspections.

HCS 1/GA: Retain original provisions, except allow the sheriff to retain fees for conducting motor vehicle inspections in the amount of \$30 for a motor vehicle dealer that has an employee who is appointed as a special inspector, \$15 for a motor vehicle dealer that does not have an employee appointed as a special inspector, or \$15 for an individual; change the additional fee per trip for an off site inspection to \$20; allow sheriffs to appoint up to two individuals at a new motor vehicle dealer or a used motor vehicle dealer, that makes an average of 100 motor vehicle sales per month for the preceding 12 months, as special inspectors solely to complete inspections of motor vehicles to be sold by that dealer.

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 checked="" 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 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 on operational costs by creating a new Class D felony. Misdemeanor offenders are subject to the jurisdiction and cost of the county. 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.

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)

The legislation would likely have a minimal impact on operational costs by creating a new Class A misdemeanor and a Class D felony.

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.

Misdemeanor offenders are subject to the jurisdiction and cost of the county. A Class A misdemeanor is 90 days to 1 year in jail. One (1) Class A misdemeanant costs \$4,047.30 to \$16,414.05.

PROJECTED IMPACT FROM AMENDMENTS: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

HCS 1/GA: There would be no additional impact.

**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

3/19/2024

Date