

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2024 Regular Session**

Part I: Measure Information

Bill Request #: 1770

Bill #: SB 249 GA

Document ID #: 7814

Bill Title: AN ACT relating to sex offenders.

Sponsor: Senator Lindsey Tichenor

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: Jails

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

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

SB 249 GA creates a new section of KRS 17.500 to 17.580, which prohibits registrants who have committed a criminal offense against a victim who is a minor from creating or controlling a social media account unless the account displays the registrant’s full legal name. Registrants who violate the proposed statute will be guilty of a Class A misdemeanor; second and subsequent violations are a Class D felony.

The fiscal impact of SB 249 GA on local governments is indeterminable, though likely negative. As it creates a new offense, there is no conviction or incarceration history for the new offense with which to base a projection of potential costs to local jails or law enforcement. However, the daily costs for those incarcerated as a result of the offense are outlined below.

Class A misdemeanors:

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.

Class D felons:

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): LRC Staff. Department of Corrections.

Preparer: Bart Liguori (RB) **Reviewer:** KHC **Date:** 3/7/24