Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 2294						
Bill #: SB 262						
Document ID #: <u>6407</u>						
Bill Title: AN ACT relating to gun safety for children.						
Sponsor: Senator Gerald A. Neal						
Unit of Government: X City X County X Urban-County Unified Local Image: County Image: County						
X Charter County X Consolidated Local X Government						
Office(s) Impacted: Law Enforcement, Jails						
Requirement: <u>X</u> Mandatory Optional						
Effect on Powers & Duties: Modifies ExistingX_ Adds New Eliminates Existing						

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

SB 262 defines the offense of unlawful storage of a firearm as when a person either recklessly stores or leaves a firearm that is not properly secured in a manner which allows a minor to access it, or when a minor accesses a firearm without the permission of their parent or guardian. Unlawful storage of a firearm is a Class A misdemeanor unless the use of the firearm by the minor results in physical injury or death, in which case it is a Class D felony.

The estimated fiscal impact of SB 262 is indeterminable, though likely slightly **negative.** As this creates a new offense, there is no past conviction data with which to base a projection of likely costs to local jails. However, the daily cost of housing inmates charged with this offense are outlined in the paragraph 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.

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	e(s): <u>LRC Staff; Depa</u>	rtment of Corre	ections		
Preparer:	Rvan Brown (BL)	Reviewer:	КНС	Date:	2/26/24