Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 2143
Bill #: SB 283 SCS 1
Document ID #:
Bill Title: AN ACT relating to correctional services.
Sponsor: Senator Jimmy Higdon
Unit of Government: X City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Local governments; 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

SB 283 SCS 1 establishes a framework for the Kentucky Department of Corrections to contract with county fiscal courts or local/regional correctional authorities to provide correctional services to state prisoners in jails or regional jails. Contracts must not exceed 24 months and should maintain a per diem rate no more than 5% over the actual cost of services.

The Department will collaborate with the Finance and Administration Cabinet to develop an audit and compliance system, negotiate contracts, and ensure both parties adhere to terms. Contracts must include provisions such providing medical care beyond routine services, ensuring compliance with regulations, maintaining medical staff presence, offering mental health services, submitting monthly reports, providing a mattress for each prisoner, offering exercise and recreational activities, and implementing training and professional development programs.

The fiscal impact of SB 283 SCS 1 is indeterminable, though likely positive.

According to the Department of Corrections, the Department currently pays local jails a \$35.34 per diem and medical expenses to house felony offenders. However, each additional inmate increases facility costs by an average cost to incarcerate of \$44.97. If contracts were made between the Department and local jails at the actual cost to incarcerate, then jails would be able to reduce their expenditures for housing state prisoners. If jails did not have required services such as medical staff presence or mental health services, then these would need to be provided at their expense. However, jails that house state prisoners are very likely to already have these services in place.

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

Preparer: Ryan Brown (JB) **Reviewer:** KHC **Date:** 3/8/24