

# CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: SB 31 Introduced. BR #: 968

BILL SPONSOR(S): Sen. J. Turner

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to motor vehicles.

**SUMMARY OF LEGISLATION:** Amend KRS 304.39-087 to modify the reporting of insurance information to the Department of Vehicle Regulation; require the Department of Vehicle Regulation to establish information submission format and additional information requirements; amend KRS 186A.040 to modify the Department of Vehicle Regulation's duties relating to insurance notifications in AVIS; establish conditions for when an individual's motor vehicle registration must be revoked or a license plate surrendered; establish registration reinstatement fee; create a new section of KRS Chapter 186A to establish administrative requirements for county clerks and the Department of Vehicle Regulation relating to proof of insurance, affidavits submitted in lieu of proof of insurance, and surrendering a motor vehicle license plate; require the Department of Insurance to prepare forms and a notice to registration renewal applicants; amend KRS 186A.042 to allow the submission of an affidavit in lieu of proof of insurance; require the county clerk to provide a notice when processing motor vehicle registration renewals; amend KRS 186A.990 to provide penalties for failure to surrender a motor vehicle license plate upon registration revocation for lack of required insurance; amend KRS 186.180 to conform; delete fee for revocations under KRS 186.290; amend various statutes requiring proof of insurance to allow submission of an affidavit; amend KRS 189.636 to require law enforcement to issue citations to motor vehicle operators for failure to comply with required insurance law; amend KRS 304.39-080 to establish exception to continuous motor vehicle insurance requirement; amend KRS 304.39-110 to permit insurers to offer 12 month policy periods; amend KRS 304.39-117 to modify requirements for evidence of compliance with required insurance law; amend KRS 304.99-060 to modify penalties; amend KRS 431.078 to create expungement rights for motor vehicle owners and operators that fail to have required motor vehicle insurance; make technical corrections; repeal KRS 304.39-085, relating to notification by insurers to the Department of Vehicle Regulation; require the Department of Vehicle Regulation and the Department of Insurance to promulgate administrative regulations to implement this Act within 30 days of effective date of section; RETROACTIVE, in part; EFFECTIVE, in part, January 1, 2025.

## AMENDMENT:

This  bill  amendment  committee substitute is expected to:

**Have the following Corrections impact**

- Creates new crime(s)
- Increases penalty for existing crime(s)
- Increases incarceration
- Reduces inmate/offender services
- Increases staff time or positions
- Changes elements of the offense for existing crime(s)
- Otherwise impacts incarceration (Explain):

**Have no Corrections impact.**

- Repeals existing crime(s)
- Decreases penalty for existing crime(s)
- Decreases incarceration.
- Increases inmate/offender services.
- Reduces staff time or positions.

**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)

This legislation has no impact on operational costs at the state level.

**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)

Establishing new criteria for misdemeanor offenses could result in additional county prisoners being housed in county jails, but the impact is expected to be minimal. 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 misdemeanor: \$4,047.30 to \$16,414.05

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

*\*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

1/22/2024

Date