

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT  
LEGISLATIVE RESEARCH COMMISSION  
2024 REGULAR SESSION**

**MEASURE**

2024 BR NUMBER 1435

SENATE BILL NUMBER 71/SCS 1

**TITLE** AN ACT relating to chemical dependency treatment services.

**SPONSOR** Senator Phillip Wheeler

**FISCAL SUMMARY**

STATE FISCAL IMPACT:  YES  NO  UNCERTAIN

OTHER FISCAL STATEMENT(S) THAT MAY APPLY:  ACTUARIAL ANALYSIS  
 LOCAL MANDATE  CORRECTIONS IMPACT  HEALTH BENEFIT MANDATE

APPROPRIATION UNIT(S) IMPACTED: Department for Behavioral Health, Developmental and Intellectual Disabilities; Office of Inspector General; State Police; Corrections

FUND(S) IMPACTED:  GENERAL  ROAD  FEDERAL  RESTRICTED \_\_\_\_\_

FISCAL ESTIMATES	2023-2024	2024-2025	2025-2026	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES		Indeterminable	Indeterminable	Indeterminable
EXPENDITURES		Indeterminable	Indeterminable	Indeterminable
NET EFFECT		(Indeterminable)	(Indeterminable)	(Indeterminable)

( ) indicates a decrease/negative

**PURPOSE OF MEASURE:** The legislation requires a substance use disorder program licensed as a chemical dependency treatment service or a recovery residence to provide transportation services or access to transportation services to residents who wish to leave the program, outlines transportation service responsibilities, and prohibits recruitment of out-of-state residents. Senate Bill (SB) 71 also establishes fines for violation of the provisions regarding the recruitment of out-of-state residents by a substance use disorder program or recovery residence and requires law enforcement officials to notify the appropriate authorities of any parole violations by residents exiting a treatment facility.

**FISCAL EXPLANATION:** The Cabinet for Health and Family Services (Cabinet) estimates that the legislation would not result in a fiscal impact to the Cabinet’s Department for Behavioral Health, Developmental and Intellectual Disabilities or to the Office of the Inspector General. Under SB 71, a fine would be levied for violation of the provisions regarding the recruitment of out-of-state residents with a fine of \$250 for a first violation, \$500 for a second violation, and \$1,000 for a third and each subsequent violation. The number and severity of the possible violations cannot be determined. Therefore, it is estimated that there will be a minimal amount of revenue accruing to the Cabinet from the fines.

There is a potential for increased costs to the State Police as it relates to transportation costs. It is unknown how many and how frequently residents of these facilities will require transportation that utilize State Police transportation in lieu of all other law enforcement and civilian options available. Likewise, it is unclear if the State Police would be reimbursed by the facility.

If a resident on parole leaves a treatment center prior to receiving permission and in violation of a court order, it is possible parolees could violate a condition of parole established by the Parole Board that could result in a revocation of their monitoring status once reported to officials. Parolees cost the Department of Corrections just over \$1,600 annually to supervise, while a revocation of their parole could trigger incarceration costs of over \$16,400 per offender. It is unknown how many offenders this could potentially impact, but due to the high cost of incarceration, only seven convictions from offenders with an outstanding felony sentence of one year or greater would be needed to trigger costs in excess of \$100,000 annually.

**DATA SOURCE(S): Cabinet for Health and Family Services; LRC Staff**

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