

CORRECTIONS IMPACT STATEMENT

SESSION: 24RS BILL #: SB 99 Introduced. BR #: 473

BILL SPONSOR(S): Sen. Yates

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to exceptions to restrictions on maternal healthcare.

SUMMARY OF LEGISLATION: Amend KRS 311.720, 311.7701, 311.781, and 311.787 to define terms; amend KRS 311.723, 311.727, 311.732, 311.735, 311.7706, and 311.782 to allow an abortion when there is a lethal fetal anomaly or the fetus is incompatible with sustained life outside the womb, or when the pregnancy is the result of rape or incest and the fetus has not reached viability as determined in the good-faith medical judgment of the physician; amend KRS 311.782 to establish a rebuttable presumption that the physician complied with the requirements of the section; amend KRS 311.7735 to provide an exception to the time requirement for consent when the pregnancy is the result of rape or incest; amend KRS 216B.400 to provide an exception for abortion counseling when the pregnancy is the result of rape or incest; amend KRS 311.715 to authorize the use of public funds for abortion when the pregnancy is the result of rape or incest; amend KRS 213.101, 311.725, 311.760, 311.7706, 311.772, 311.7735, 311.780, 311.783, 311.787, and 311.800 to conform; make technical corrections; provide that the Act may be cited as Hadley's Law.

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 would have no impact on the Department of Corrections 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)

This would have no impact on the Department of Corrections at the local level.

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