CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 328 Introduced BR #: 1269

BILL SPONSOR(S): Rep. D. Elliott AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to hunting on state historic battlefield sites.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 150 to define "state historic battlefield site" and to prohibit hunting on state historic battlefield sites unless approved by the Department of Parks and authorized by the Department of Fish and Wildlife Resources Commission in order to meet specific goals of a wildlife management plan for the area; amend KRS 150.990 to establish penalties.

AMENDMENT:

This ☒ bill ☐ amendment ☐ committee substitute is expected to:

☒ **Have the following Corrections impact**	☐ **Have no Corrections impact.**
☐Creates new crime(s)	☐Repeals existing crime(s)
☐Increases penalty for existing crime(s)	☐Decreases penalty for existing crime(s)
☐Increases incarceration	☐Decreases incarceration.
☐Reduces inmate/offender services	☐Increases inmate/offender services.
☐Increases staff time or positions	☐Reduces staff time or positions.
☒Changes elements of the offense for existing crime(s)	
☐Otherwise impacts incarceration (Explain):	

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of $122.84. 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 $47.43 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)

The legislation would likely have no impact to operational costs at the state level. This legislation is expanding the definition of an existing offense. However, there are currently zero (0) offenders in custody or on felony probation for similar offenses.

Population counts and offender data are sourced from the Kentucky Offender Management System (KOMS).

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 $47.43 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)

The legislation would likely result in a very minimal increase in operational costs at the local level by expanding the definition of an existing offense. However, there are only 2 offenders on misdemeanor supervision for similar offenses. 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 misdemeanant: $4,269.02 to $17,313.27
- Ten (10) Class A misdemeanants: $42,690.25 to $173,132.67
- One hundred (100) Class A misdemeanants: $426,902.48 to $1,731,326.74

Population counts and offender data are sourced from the Kentucky Offender Management System (KOMS). Cost to Incarcerate can be found on corrections.ky.gov/public-information.

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: Cookie Crews **3/4/2025**

Commissioner, Kentucky Department of Corrections Date