

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2025 REGULAR SESSION**

MEASURE

2025 BR NUMBER 58

HOUSE BILL NUMBER 38 GA

TITLE AN ACT relating to orders of protection.

SPONSOR Representative James Tipton

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: Corrections

FUND(S) IMPACTED: GENERAL ROAD FEDERAL RESTRICTED _____

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

() indicates a decrease/negative

PURPOSE OF MEASURE: The measure enhances the penalty for a violation of an order of protection to a Class D felony if the offender has been convicted of two or more prior violations within the last 5 years, the third or subsequent violation involves the use or attempted use of physical force or threat of physical harm, and the victim in the third or subsequent offense is the same person from prior violations.

FISCAL EXPLANATION: The fiscal impact of the measure is indeterminable, but could increase incarceration costs for the Department of Corrections. Class D felons serve 1-to-5-year sentences and cost the state approximately \$17,313 annually. It is unknown how many future convictions will be subject to the measure’s enhanced penalty.

DATA SOURCE(S): LRC Staff; Corrections

PREPARER: Perry Papka **NOTE NUMBER:** 144 **REVIEW:** JMR **DATE:** 3/5/2025