

CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 393 Introduced

BR #: 180

BILL SPONSOR(S): Rep. B. Wesley

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to the acquisition and ownership of real property by a foreign principal.

SUMMARY OF LEGISLATION: Creates a new section of KRS Chapter 381, relating to real property, to define terms; prohibit foreign principals from owning real property in the Commonwealth of Kentucky; provide exceptions; require foreign principals to register any ownership interest acquired before the effective date of this Act with the Cabinet for Economic Development; allow persons to report evidence of noncompliance to the Office of the Attorney General; require the Office of the Attorney General to investigate the evidence; allow the Office of the Attorney General to enforce provisions; establish penalties for violations; amend KRS 381.320 to conform.

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 \$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 result in a minimal increase in operational costs at the state level by creating new Class D Felonies.

Class D felons are housed in a county jail, and DOC pays counties a per diem for housing those inmates. A Class D Felony sentence is 1 to 5 years.

- One (1) Class D Felon costs KY \$17,313.27 to \$86,566.34.
- Ten (10) Class D Felons cost KY \$173,132.67 to \$865,663.37.
- One hundred (100) Class D Felons cost KY \$1,731,326.74 to \$8,656,633.71.

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.

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 minimal increase in operational costs at the local level by creating new Class D Felonies.

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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:  2/25/2025
Commissioner, Kentucky Department of Corrections Date