CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 399 HCS 1 **BR #: 1517**

BILL SPONSOR(S): Rep. J. Blanton **AMENDMENT SPONSOR(S):**

TITLE: AN ACT relating to interference with a legislative proceeding.

SUMMARY OF LEGISLATION: Create new sections of KRS Chapter 519 to define terms; create the crime of interference with a legislative proceeding in the first degree; create the crime of interference with a legislative proceeding in the second degree; amend KRS 431.015 to require a peace officer to make an arrest for a violation of interference with a legislative proceeding in the first or second degree.

AMENDMENT: HCS 1 - Retain original provisions, except provide that an arrest for a violation of interference with a legislative proceeding in the first or second degree shall be made when requested by the Speaker of the House of Representatives, Sergeant-at-Arms of the House of Representatives, President of the Senate, Sergeant-at-Arms of the Senate, or the chair of a committee of the General Assembly.

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

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.

There are currently zero (0) inmates in custody and 11 offenders on supervision for Obstructing Governmental Operations offenses. The population statistics are being provided to offer a reference for the number of offenders who commit similar crimes.

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 a new Class D Felony and a new Class A and Class B misdemeanor.

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.

Misdemeanor offenders are subject to the jurisdiction and cost of the county.

A Class B misdemeanor is up to 90 days in jail.

- One (1) Class B misdemeanant: up to $4,269.02
- Ten (10) Class B misdemeanants: up to $42,690.25
- One hundred (100) Class B misdemeanants: up to $426,902.48

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)
HCS 1 – No additional impact.

**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 **3/10/2025**
Commissioner, Kentucky Department of Corrections Date