

CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 45

GA

BR #: 445

BILL SPONSOR(S): Rep. J. Hodgson

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to campaign finance.

SUMMARY OF LEGISLATION: Amend KRS 121.015, relating to campaign finance, to define terms; create new sections of KRS Chapter 121 to establish reporting and record retention requirements for political issues committees and persons making independent expenditures; prohibit political issues committees from knowingly and willfully soliciting or accepting contributions from prohibited sources; establish certification requirements for treasurers of political issues committees and donors making contributions and independent expenditures; define activity that creates a presumption of a violation; prohibit foreign nationals from making a donation, contribution, or expenditure, soliciting another person to make a donation, contribution, or expenditure, or participating in another person's decision to influence a ballot measure; establish a cause of action for accepting or soliciting contributions from prohibited sources and failing to certify, report, or retain records; establish a right of privacy in donations to tax-exempt organizations; establish a penalty for a state or local governmental entity, court, or officer of the court that violates the right of privacy; amend KRS 121.190 to require a "paid for by" disclosure for advertisements advocating or opposing a ballot measure.

AMENDMENT: GA – No additional impact

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 have no impact on operational costs 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 \$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 due to the creation of a new Class A misdemeanor.

Establishing new misdemeanor offenses could result in additional county prisoners being housed in county jails, but the impact is expected to be minimal. There are currently no offenders in custody or on supervision for offenses related to election laws and procedures.

A Class A misdemeanor is 90 days to 1 year in jail.

- One (1) Class A misdemeanor: \$4,269.02 to \$17,313.27
- Ten (10) Class A misdemeanors: \$42,690.25 to \$173,132.67
- One hundred (100) Class A misdemeanors: \$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)

GA – 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: 

Commissioner, Kentucky Department of Corrections

2/17/2025
Date