CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 462 GA BR #: 1003

BILL SPONSOR(S): Rep. S. Dietz AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to the correction of marriage documents.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 402 to allow a county clerk to correct a marriage application or marriage license upon receipt of an affidavit executed by both parties to the marriage; provide examples of errors and omissions that a clerk may correct upon receipt of the affidavit; allow persons to obtain a corrected marriage license by court order if they choose; make a person who intentionally submits a material false statement subject to the penalties in KRS 523.030; amend KRS 209A.045 to permit any funds collected from amending marriage licenses to be remitted to the domestic violence shelter fund.

AMENDMENT: GA – No changes

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)

This legislation has no impact 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 by expanding the definition of a Class A misdemeanor. 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

There are currently zero (0) inmates in custody and two (2) offenders on supervision for perjury second-degree. 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.

PROJECTED IMPACT FROM AMENDMENTS: ☒ NONE ☐ MINIMAL to MODERATE (< $1 million) ☐ SIGNIFICANT (> $1 million)

GA – no changes

**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: **3/10/2025**

Commissioner, Kentucky Department of Corrections Date