

CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 465

GA

BR #: 1493

BILL SPONSOR(S): Rep. B. Chester-Burton, J. Nemes, K. Banta, G. Brown Jr., M. Dossett, D. Grossberg, N. Kulkarni, C. Lewis, M. Marzian

AMENDMENT SPONSOR(S): B. Chester-Burton

TITLE: AN ACT relating to motor vehicle racing.

SUMMARY OF LEGISLATION: Amend KRS 189.993 to establish enhanced penalties for a violation of KRS 189.505, including increased fines, vehicle impoundment for up to six months for the first offense, and vehicle forfeiture for the second or subsequent offense.

AMENDMENT: HCS 1 - Retain original provisions, except provide that a motor vehicle that is forfeited for a second or subsequent violation of KRS 189.505 may be sold at public auction; amend KRS 500.090 to provide that the proceeds from any public auction of a vehicle that has been forfeited for a second or subsequent violation of KRS 189.505 be transferred to the Crime Victims Compensation Board.

HFA 2/GA - Retain original provisions; provide the intent of the General Assembly.

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)

There would be no fiscal 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 creating a new Class B misdemeanor. 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 misdemeanor: 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

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

HCS 1 – no additional impact


HFA 2/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:  3/10/2025
Commissioner, Kentucky Department of Corrections Date