

CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: HB 465

HCS 1

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):

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: 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.

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

