

CORRECTIONS IMPACT STATEMENT

SESSION: 25RS BILL #: SB 38 Introduced

BR #: 298

BILL SPONSOR(S): Sen. G. Elkins, M. Deneen

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to school bus safety.

SUMMARY OF LEGISLATION: Create new sections of KRS Chapter 158 to define terms; allow the use of camera monitoring systems on school buses operated by a school district, and allow the enforcement of a civil penalty for stop arm camera violations recorded by a camera monitoring system; set the amount of the civil penalty; provide that the revenue generated from a civil penalty shall be retained by the school district; allow a law enforcement agency to charge a fee of \$25 from every civil penalty enforced by the law enforcement agency; require specific notice for a stop arm camera violation; establish defenses to a violation; establish procedures for a contest to a violation; allow for suspension of motor vehicle registration for failure to timely pay a penalty; require a school district or law enforcement agency to notify the Transportation Cabinet of the need to release a motor vehicle registration suspension within one business day of payment; amend KRS 189.990 to increase the maximum fines for failing to stop for a school or church bus that is receiving or discharging passengers; amend KRS 189.370 to require traffic in the opposite direction of a school or church bus to stop for the bus on a highway that is not divided by an elevated barrier or unpaved median.

AMENDMENT:

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 is 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 very minimal increase in operational costs at the local level by expanding the criteria for when someone must stop for a bus when traveling the opposite direction on a 4-lane road. Expanding this definition could result in additional misdemeanor offenses.

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

