

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2025 Regular Session**

Part I: Measure Information

Bill Request #:	986	Bill #:	SB 73/GA
Document ID #:	3825	Sponsor:	Sen. Julie Raque Adams
Bill Title:	AN ACT relating to sexual extortion		

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local

Office(s) Impacted: Law Enforcement, Jails

Requirement: Mandatory Optional

Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Other Fiscal Statement(s) that may exist: Actuarial Analysis Corrections Impact
 Health Benefit Mandate State Employee Health Plan

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Section 1 of SB 73 defines the circumstances in which a person would be guilty of sexual extortion and classifies the offense as a Class A misdemeanor, unless the victim as a result of the offense engages in sexual conduct, provides any matter depicting themselves engaging in sexual conduct, provides payment to the offender, does any act against their will, or suffers serious physical injury in which case it is a Class D felony. Under certain conditions such as the victim being a minor or the perpetrator being a repeat offender, the penalty for being convicted of either offense must be upgraded by one class.

Section 2 would establish that a person who violates Section 1 would be personally liable for actual and punitive damages, court costs, and reasonable attorney fees in civil court.

It would also mandate that local school boards require public secondary schools to display signs that inform students of the definition of sexual extortion and provide relevant contact information for state and local law enforcement for victims to use. All postsecondary educational institutions would also be required to display this signage.

Section 3 would add sexual extortion to the definition of a sex crime and include it as an offense that results in offenders being placed on the Justice and Public Safety Cabinet registry of sex offenders.

SB 73 would have an indeterminate negative fiscal impact on local jails and law enforcement. The number of violations of this act cannot be anticipated, however there would be costs associated with investigations conducted by law enforcement, incarceration of offenders, and monitoring of offenders.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$47.43 per day. While most misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$47.43 per day.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$44.97, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full-service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): Kentucky Department of Corrections

Preparer: TJ **Reviewer:** HT (MDA) **Date:** 2/14/25