

CORRECTIONS IMPACT STATEMENT

SESSION: 26RS BILL #: HB 113

Introduced

BR #: 205

BILL SPONSOR(S): Rep. G. Brown, B. Chester-Burton

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to gun safety for children.

SUMMARY OF LEGISLATION: Amend KRS 527.010, relating to firearms, to define "securely locked container" and make technical corrections; create a new section of KRS Chapter 527 to prohibit unlawful storage of a firearm; establish elements of the crime as recklessly allowing access to an unsecured firearm by a minor; establish the crime as a Class B misdemeanor unless a physical injury or death results, in which case it is a Class A misdemeanor; provide that an affirmative defense exists if a minor obtained the firearm through the minor's unlawful entry; provide that the Act may be cited as the Baby Dre Gun Safety Act.

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 \$116.41. 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 \$46.51 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)

The legislation would have no impact on operational costs 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 \$46.51 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 A and Class B misdemeanor. Misdemeanants are housed at county jails, and associated costs are the responsibility of the local fiscal court. DOC does not incur a cost for misdemeanor offenders.

A Class A misdemeanor is 90 days to 1 year in jail.

- One (1) Class A misdemeanor: \$4,185.77 to \$16,975.64
- Ten (10) Class A misdemeanants: \$41,857.74 to \$169,756.40
- One hundred (100) Class A misdemeanants: \$418,577.42 to \$1,697,563.98

A Class B misdemeanor is up to 90 days in jail.

- One (1) Class B misdemeanor: up to \$4,185.77

