

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

Part I: Measure Information

Bill Request #:	1213	Bill #:	HB 188/GA
Document ID #:	4971	Sponsor:	Rep. Kevin Jackson
Bill Title:	AN ACT relating to public safety		

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

HB 188/GA amends KRS 508.025 to expand upon the charge of assault in the third degree. This expansion adds assaulting a healthcare provider on the premises of a jail, penitentiary, and local or state correctional or detention facility including a facility that provides care, treatment, and detention of juveniles to the definition of the crime. Assaulting a healthcare provider is classified as a Class D felony, unless the offense occurs during a declared emergency in which case it is a Class C felony.

The fiscal impact of HB 188/GA is indeterminable, but expected to be negative. This bill would increase the potential number of people convicted of assault in the third degree, thereby increasing the cost of investigations of incidents and the number of people convicted and sent to jail.

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 \$47.43, 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.

When a court denies bail to a Class C 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 \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The Department of Corrections pays local jails \$35.34 per day to house these Class C felons. The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): LRC staff; Kentucky Department of Corrections

Preparer: TJ **Reviewer:** JR (MDA) **Date:** 2/6/26