

CORRECTIONS IMPACT STATEMENT

SESSION: 26RS BILL #: HB 4 Introduced

BR #: 60

BILL SPONSOR(S): Rep. M. Proctor, K. Banta

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to grooming a minor.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 510 to establish the offense of grooming a minor; amend KRS 510.010 to define "course of conduct," "grooming behavior," and "sexual conduct"; amend various sections to conform; make technical corrections.

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 likely result in a minimal increase in operational costs at the state level by creating a new Class D and C Felony.

Class D sex offenders are jail-eligible if the sentence is less than 2 years, and DOC pays counties a per diem for housing those inmates. A Class D Felony sentence is 1 to 5 years.

- One (1) Class D Felon costs KY \$16,975.64 to \$84,878.20
- Ten (10) Class D Felons cost KY \$169,756.40 to \$848,781.99
- One hundred (100) Class D Felons cost KY \$1,697,563.98 to \$8,487,819.88

Class C sex offenders are required to serve time in state prison. A Class C Felony sentence is 5 to 10 years.

- One (1) Class C Felon costs KY \$212,440.64 to \$424,881.28
- Ten (10) Class C Felons cost KY \$2,124,406.41 to \$4,248,812.82
- One hundred (100) Class C Felons cost KY \$21,244,064.09 to \$42,488,128.18

An increase in the sex offender population resulting from the creation or expansion of sex offenses would impact contract bed capacity at Halfway Houses (HWH) that house individuals subject to residency restrictions. DOC currently has limited HWH availability for this population, as only two HWHs are authorized to house sex offenders.

Additionally, an expanded sex offender population would place increased demand on Sex Offender Treatment Program (SOTP) bed capacity and the workload of DOC Social Service Clinicians. Offenders classified as having committed “sex crimes” are required to complete SOTP before becoming eligible for parole or sentence credits, which may extend their overall length of stay.

Cost to Incarcerate can be found on corrections.ky.gov/public-information.

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 D Felony and a new Class A misdemeanor.

Class D sex offenders are jail-eligible if the sentence is less than 2 years, and DOC pays counties a per diem for housing those inmates. A Class D Felony sentence is 1 to 5 years.

- One (1) Class D Felon costs KY \$16,975.64 to \$84,878.20
- Ten (10) Class D Felons cost KY \$169,756.40 to \$848,781.99
- One hundred (100) Class D Felons cost KY \$1,697,563.98 to \$8,487,819.88

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

- 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

Cost to Incarcerate can be found on corrections.ky.gov/public-information.

PROJECTED IMPACT FROM AMENDMENTS: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population, lengthen the term of incarceration, or impose new obligations on state or local governments.

APPROVED BY:  **3/6/2026**
Commissioner, Kentucky Department of Corrections Date