

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

**Part I: Measure Information**

<b>Bill Request #:</b>	1943	<b>Bill #:</b>	HB 563
<b>Document ID #:</b>	4802	<b>Sponsor:</b>	Rep. Patrick Flannery
<b>Bill Title:</b>	AN ACT relating to driving under the influence		

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 5 adds a new section of KRS Chapter 244 that prohibits a retail licensee, or the licensee's agent, servant, or employee from knowingly selling, giving away, or delivering any alcoholic beverage to a person who is prohibited from purchasing alcohol. The penalty for this crime is a Class B misdemeanor for the first offense and a Class A misdemeanor for the second and subsequent offenses.

**The fiscal impact of HB 563 is indeterminable, but expected to be negative.** There is no way to know how many violations will occur under this new crime but there will be costs associated with the investigation of violations and incarceration of offenders.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. 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 the majority of

misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$47.43 per day.

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

**Preparer:** TJ **Reviewer:** JB (MDA) **Date:** 2/5/26