

Local Government Mandate Statement Kentucky Legislative Research Commission Session

Part I: Measure Information

Bill Request #:	1943	Bill #:	HB 563
Document ID #:	4802	Sponsor:	Rep. Patrick Flannery
Bill Title:	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